the weekly
Standard

MARCH 19, 2001 $3.95

RACE AND THE REPUBLICANS
TERRY EASTLAND • DAVID TELL

Evolutionary Psychology and Its True Believers

BY ANDREW FERGUSON

Beijing Goes for the Gold
MIKE MURPHY

Bush's Tax Victory
FRED BARNES • DAVID BROOKS

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It's become commonplace to point out that of modernity's three most influential thinkers—Marx, Freud, and Darwin—only Darwin enters the twenty-first century with his reputation intact. But Darwin has troubles of his own. The troubles come not only from the right, where creationists and other religiously minded conservatives nip around the ankles of evolutionary theory, but also from the left, where social scientists, and even some real scientists, worry about the ends to which Darwin's great idea might be put. ..... BY ANDREW FERGUSON

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THE WEEKLY STANDARD (ISSN 1083-3013) is published weekly (except the last week in April, the second week in July, the first week in September, and the second week in January) by News America Incorporated, 1211 Avenue of the Americas, New York, NY 10036. Periodicals postage paid at New York, NY, and additional mailing offices. Postmaster: Send address changes to THE WEEKLY STANDARD, P.O. Box 96127, Washington, DC 20077-7767. For subscription customer service in the United States, call 1-800-274-7293. For new subscription orders, please call 1-800-283-2014. Subscribers: Please send new subscription orders to THE WEEKLY STANDARD, P.O. Box 96153, Washington, DC 20090-6153; changes of address to THE WEEKLY STANDARD, P.O. Box 96127, Washington, DC 20077-7767. Please include your latest magazine mailing label. Allow 3 to 5 weeks for arrival of first copy and address changes. Yearly subscriptions, $78.00. Canadian/foreign orders require additional postage and must be paid in full prior to commencement of service. Canadian/foreign subscribers may call 1-850-682-7653 for subscription inquiries. Visa/MasterCard payment accepted. Cover price, $3.95. Back issues, $3.95 (includes postage and handling). Send manuscripts and letters to the editor to THE WEEKLY STANDARD, 1150 17th Street, N.W., Suite 505, Washington, DC 20036-4617. Unsolicited manuscripts must be accompanied by a stamped, self-addressed envelope. THE WEEKLY STANDARD Advertising Sales Office in Washington, DC, is 1-202-293-4900. Advertising Production: Call Ian Slatter 1-202-496-3354. Copyright 2001, News America Incorporated. All rights reserved. No material in THE WEEKLY STANDARD may be reprinted without permission of the copyright owner. THE WEEKLY STANDARD is a trademark of News America Incorporated.

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But He Left Out "Kiss It"

The Clinton legacy becomes clearer each day. According to editor Justin Kaplan, the 17th edition of *Bartlett's Familiar Quotations*, due out next year, will include just three entries for Bill Clinton:

"I experimented with marijuana a time or two. And I didn't like it, and didn't inhale, and never tried it again."
—*New York Times, March 31, 1992*

"I am going to say this again: I did not have sexual relations with that woman, Miss Lewinsky."
—*Television interview, January 26, 1998*

"It depends on what the meaning of the word 'is' is. If the—if he—if 'is' means is and never has been, that is not—that is one thing. If it means there is none, that was a completely true statement."
—*Grand jury testimony, August 17, 1998*

A self-described Clinton supporter, Kaplan explains in an interview on the website of *Harvard* magazine, "The president was not a great utterer of his sentiments."

We would argue for the inclusion of the one memorable phrase Clinton uttered in the line of duty, in his 1996 State of the Union address: "The era of big government is over." But it's hard to quibble with Kaplan's choices. Especially since he turns out to be such a good sport on the subject of Ronald Reagan.

The 16th edition of *Bartlett's*, also Kaplan's handiwork, was keelhauled by the Heritage Foundation's Adam Meyerson for scanting the memorable phrases of Ronald Reagan (although we still enjoy the one in which Reagan likens the federal government to a baby: "a big appetite at one end and no responsibility at the other"). According to the *Harvard* magazine interview, a contrite Kaplan has now removed "the stupidest Reagan statement" and added a couple of others, including the famous 1987 Berlin Wall speech that was among Meyerson's suggestions: "Come here to this gate! Mr. Gorbachev, open this gate! Mr. Gorbachev, tear down this wall!"

This has to qualify as one of the most gracious responses to criticism in recent memory. Sign us up for two copies of the new *Bartlett's*. ♦

A Princetonian's Defense of Bestiality

In his essay on sociobiology beginning on Page 31 of this issue, Andrew Ferguson notes that Peter Singer—the creepy Ira W. DeCamp professor at Princeton's Center for Human Values—has been trying to debunk "the distinction that has traditionally been made between human beings and animals." And how.

In a new essay for the webzine *Nerve.com*, Singer takes his anti-"speciesist" campaign to one of its logical conclusions, with a full-throated defense of bestiality. Striking a celebratory note, Singer observes that "one by one, the taboos [about sex] have fallen. The idea that it could be wrong to use contraception in order to separate sex from reproduction is now merely quaint. If some religions still teach that masturbation is 'self-abuse,' that just shows how out of touch they have become. Sodomy? That's all part of the joy of sex." Alas, though, "not every taboo has crumbled. . . . Sex with animals is still definitely taboo." But not for much longer, if Singer has any say in the matter.

Much of what he goes on to argue is unprintable here (THE SCRAPBOOK is still a taboo-upholder). There is a vile section on dead chickens that defies summary (suffice it to say that if Frank Perdue is thinking about contributing to the Princeton endowment, he'll want to think again). There is a cliché-ridden discussion of girls and horses. There is learned discourse on faculty society at Princeton: "Who has not been at a social occasion disrupted by the household dog gripping the legs of a visitor and vigorously . . ."

Singer concludes with a story about a woman's romp with an orangutan—in which the orangutan makes like a drunken frat boy, and the woman takes it in good humor. This, he suggests, is because—well, mainly it's because "fighting off so powerful an animal was not an option." But Singer prefers to think that it also "may be because [she] understands very well that we are animals, indeed more specifically, we are great apes." And once we also understand this, "sex across the species barrier" will cease "to be an offense to our status and dignity as human beings."

Maybe by then, Princeton will have come up with a less Orwellian name for its Center for Human Values. ♦

The Clinton Library (cont.)

A few weeks ago in these pages, Kane Webb told the story of how the land for the Clinton library in Little Rock is being financed. To avoid a referendum on Clinton by having a vote on new bonds to pay for the land, the city decided to use proceeds from already issued revenue bonds. But can revenue bonds be used to pay for a project that isn't

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producing any revenue? That was the question before the Arkansas supreme court, which last week sided with the city. Sort of.

In a twist, the court encouraged the appellant, a 68-year-old retired housewife and unretiring citizen named Nora Harris, to sue the city again, because what it's doing may indeed be illegal. One of the problems, the court pointed out, was that Harris's case was filed *before* the city may have started dipping into tax money it can't legally use to buy land for the library. (It's against the law in Arkansas to use tax money to pay off revenue bonds.)

Harris says she may sue again. If so, her chances of winning now look a lot better. And the chances of an early end to the Clinton controversies continue to recede. ♦

Margaret Thatcher's Greatness

In her usual bracing style, former prime minister Margaret Thatcher delivered an excellent address to the Royal United Services Institute on March 1. Think of it as instruction in how not to go wobbly.

*On Iraq: "Recently British airmen have been engaged over Iraq. I strongly support that U.S.-British action. Saddam Hussein counts as unfinished business. He is neither manageable nor, in the long term, containable. He has to be removed. It is because he himself knows this that Saddam will never ease up his pressure on us. We for our part can hardly expect otherwise. Saddam knows the score—even if some of our more faint-hearted allies don't."

*On American missile defense plans: "On this side of the Atlantic, there is a tendency to suggest that the problem of proliferation can be solved by diplomatic means and by control regimes designed to halt the flow of military technology. The possibilities of controlling proliferation by such means were always much slimmer than the optimists thought. Now they are all but a dead letter.

"To me, it is strange that European states have so enthusiastically lined up with Russia and China in opposing America's plans for a system of missile defense—plans which would increase our safety. We should, in fact, be particularly keen to see ourselves included within a truly global system."

*On the European Army: "The public could be forgiven for thinking that there are two plans: one for strengthening NATO, and one for creating a rival organization to it. My own view is that if the Europeans truly wish to improve their NATO contribution they can show it simply enough. They can increase defense expenditure. They can move more swiftly to establish professional armed forces like those of the United Kingdom. And they can acquire more advanced technology. Indeed, unless that happens soon, the gulf between European and U.S. capabilities will yawn so wide that it will not be possible to share the same battlefield." ♦

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Casual

There Goes the Neighborhood

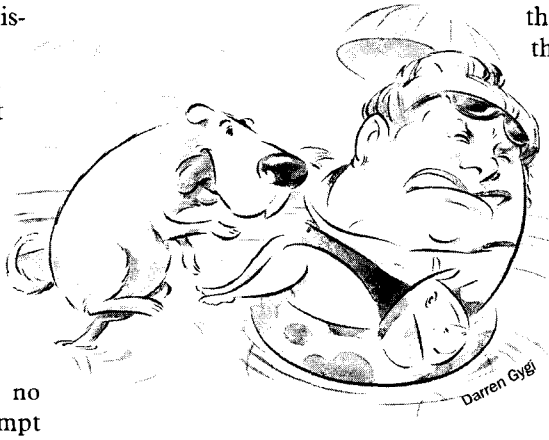
I've never had much use for neighbors. You can't live with them. You can't smother them with chloroform and feed them through a wood-chipper when you tire of them.

If you could, I would've done so to the stringy-haired druggies I lived next to as a tyke. My parents called them "The Hippies," though it was well past the hippie era. They weren't of the peace-loving, Wavy-Gravy variety, either. The Hippies rode motorcycles through their living room, and egged the house of a nearby Holocaust survivor. Once, when my frisbee sailed into their yard, I jumped the fence, only to find them waiting in ambush. "Get him, Max!" they cackled, unleashing their attack-dog German shepherd. With my jungle-cat reflexes, I made it back whole. But my psyche was compromised. The nerve-rattling jolt had caused me to spot my Toughskins.

Subsequently, I vowed that no neighbor would ever again prompt me to wet myself. Some years later, that resolve was tested. My military family had been stationed in Germany, where I had it good—wide open spaces, tasty strudel, lots of nudity on German television. There was just one problem: Budo the Teutonic Brute. Several years my senior, Budo commandeered our playground for smoke breaks while hitting on our sisters. We were not about to lose our women, so I led a strike force of military brats to occupy Budo's secret love shack in the woods.

Things went swimmingly, until Ricky, my first sergeant, grew overzealous and vandalized the shack. When Budo found out, he stomped the Sarge like a junebug. The rest of our platoon spent the next several weeks playing indoors.

After an uneventful early adulthood, I thought I had the neighbor problem licked. Then we got a new dog, and new next-door neighbors. Our dog is a lab named Levi, and we call him the Yellow Bastard (he's yellow, and acts like a bastard). Our neighbors are the Dingleberrys (names have been changed), and what we call them is unprintable. We started off cordial. We took over a welcome-to-the-neighborhood brownies plate. They bought my newborn son effeminate mittens. Like many neighbors, we pretended to be interested in each other's lives.



Tensions, however, quickly escalated. It's not that I minded their yappy mutt, Dakota, breaking loose and mauling our other neighbor's Chihuahuas. Nor did I mind their loud pool parties, where mother Madge entertained in a festive floral one-piece. What riled me was that they'd moved to Calvert County, Maryland, a bucolic stretch of rolling pastures and tobacco barns where everybody besides the Dingleberrys appreciates the long-established don't-fence-me-in ethos.

I've always felt that a generally well-behaved dog should be allowed to roam, though, strictly speaking, "well-behaved" might not apply to Levi. A sculpted, athletic specimen, Levi stays toned by swimming, formerly in the Dingleberrys' pool. He didn't always do laps. Sometimes he just rested half-immersed on the pool steps, alone with his thoughts. The neighbors weren't happy. Neither were they pleased with Levi's hunting, as the quarry he stalked included everything from gardening tools to UPS packages to pool noodles to children's shoes.

We ended up containing Levi, letting him out only for occasional runs. But that wasn't good enough. A few months ago, we received a visit from an Animal Control officer with a nasty bearing and a prison-warden perm. She said there'd been an anonymous complaint about our barking dog, and that if we didn't get it under control, we'd end up in court. I was livid. The Dingleberrys could complain that Levi used their pool cover for a slip'n'slide. But Levi barks less than Madge, whose honking voice has the timbre of a broken foghorn.

Immediately, I plotted revenge. Perhaps I'd loosen a lug-nut on their daughter's Razor scooter. Or maybe drop Levi's food in her Halloween bucket, getting the last laugh when she showed up for school with strong teeth and a lustrous coat. I thought about slugging it out in their driveway, but figured after I drilled Madge with a few overhand rights, she'd likely run off and tell her husband. Instead, I settled on the Happy Homeowner's neutron bomb: not waving.

The Dingleberrys still wave, nervously, as if I don't know of their betrayal. They obviously feel guilty. They won't for long.

The other day, I heard terrible yelping coming from their yard. I rushed over, to find a new black lab puppy. I returned home brimming with joy. For the next eight hours, it sounded off like a squeaky fan belt, but I wasn't going to ask the Dingleberrys to buy an anti-bark collar or to keep their puppy indoors. Instead, I addressed my one request to Directory Assistance: "May I have the number for Animal Control?"

Matt Labash

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Just Say Yes

In his defense of the drug war, John P. Walters ignores basic economic principles ("Drug Wars," March 5). Our tax dollars are being wasted on a Sisyphean task. Attempts to limit the supply of illegal drugs, while demand remains constant, only increases drug trafficking profits. Such efforts are tantamount to price supports for organized crime. It's time to stop wasting the taxpayer's money on drug policies that do more harm than good.

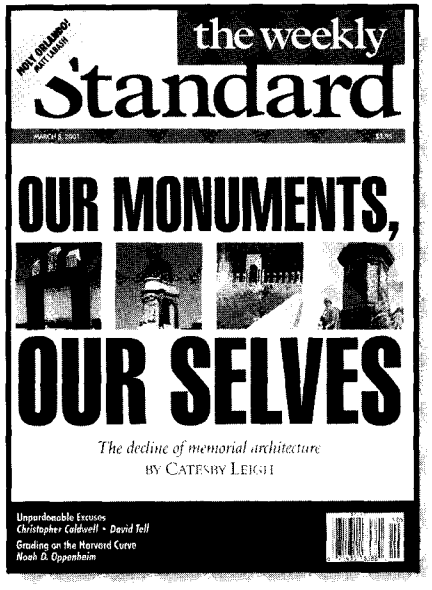
Drug prohibition is used to justify drug war spending. There are cost-effective alternatives. The Netherlands has successfully reduced overall drug use by replacing marijuana prohibition with regulation. Dutch rates of drug use are significantly lower than U.S. rates in every category. Separating the hard and soft drug markets and establishing age controls for marijuana has proven more effective than zero tolerance. As the most popular illicit drug in America, marijuana provides the black market contacts that introduce users to hard drugs. This "gateway" is the direct result of a fundamentally flawed policy. Given that marijuana is arguably safer than alcohol, it makes no sense to perpetuate policies that spread HIV (through syringe sharing), finance organized crime, and facilitate the use of drugs like heroin. Sadly for Americans, our leaders are more prone to counterproductive preaching than cost-effective pragmatism.

Robert Sharpe
Lindesmith Center-Drug Policy Foundation, Washington, DC

John P. Walters attempted to debunk some assertions made by drug law reformers. He claims we are not putting too many people in jail for drug crimes, but says that of the more than one million persons in state prisons, almost 9 percent are there for possessing drugs, more than 11 percent for selling drugs. Of the 22 percent there for property crimes, most were probably addicts stealing to feed their habit. And many of the 47 percent imprisoned for violent crimes are there for drug-related robberies and murders. Few of them would be in jail if we had not attempted to prohibit drugs, thus creating a violent black market overseen by criminals. Walters doesn't mention federal prisons—60 percent are there for drug offenses—or local jails that are home to most minor drug offenders.

Ray Aldridge
Ft. Walton Beach, FL

John P. Walters used Robert Downey Jr. as an example of a drug user in need of criminal consequences. But I don't know of any victims of Downey's use other than himself. Are we trying to outlaw self-destructive behavior? Walters implied that under drug policy reform, "fewer violent and repeat offenders and drug traffickers are punished." I am not campaigning to reduce penalties for assault, or any other violent crime. I just



think it is counterproductive to imprison consenting adults for victimless crimes.

Danny Terwey
Santa Cruz, CA

John P. Walters responds: After the last three decades of death and destruction from drug abuse in America, to suggest that use and addiction is a victimless crime requires a willful naiveté. It should go without saying that a decent society is concerned with limiting self-destructive behavior. We may debate how far this concern should be expressed, but not whether it should. On the matter of the Netherlands, two points: First, the obvious, the United States is not the Netherlands; and second, the actual experience of the Netherlands has been misrepresented. There continues to be much controversy in that country over the "coffeehouses," which have in many cases become distribution points for cocaine and heroin and sources of crime.

As to the criticism of data I cited, I used sources universally recognized as the best. In the words of John Adams, "Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of facts and evidence."

Grading Mansfield

Whether grade inflation began with affirmative action in the '70s, as Harvey Mansfield asserts ("Grading on the Harvard Curve," March 5), or much earlier, as I suspect, it is a massive problem at all levels of education. I am a teacher with experience at several universities. In my admittedly singular experience it is nearly impossible to survive in my profession while insisting that 'A' means mastery, 'B' means superior work, 'C' means competence. Students, parents, and many numbers-conscious administrators won't allow it. I believe that the average 'A' grade of today is equivalent to a pre-1950 'C.' I currently have no grade to assign those rare students who truly achieve mastery of their subjects. They are denied their due recognition, and my private commendation is no substitute.

While Mansfield's media-worthy maneuver might highlight the problem of grade inflation, I for one am sorry that this Harvard professor didn't quietly maintain the faith—to his field, his institution, and his students.

April W. Susky
Anchorage, AK

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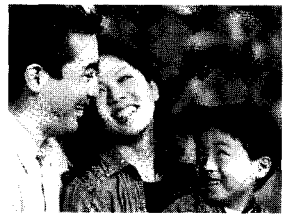

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After the Goldrush

New Media Mavens Combat Internet Fatigue

By JOHN STRAUSBAUGH

MUMBLEBOY.COM

JOEY ANUFF, cofounder of *Suck* and now editor-in-chief of the month-old Plastic.com, speaks of "Internet fatigue"—the pall of gloom that descended after the bottom dropped out of the new economy last March. To Anuff, Internet survivor that he is, the current depression is as exaggerated as was the giddy euphoria that led up to the Internet crash.

Yet nearly a year later, dotcoms are still falling from the skies, the NASDAQ is still ailing, and no one wants to read another tale of pink-slipped twentysomethings who were paper millionaires last year. Both "new media" and the old media that grew up to cover the sector are suffering setbacks. Whether it's online publishing ventures like the nearly flatline *Salon* and the storm-tossed TheStreet.com, or print magazines like *Wired* and *Fast Company* and *The Industry Standard* that were once obese with the dotcom and tech advertising that's now vanishing, they're all struggling to cope.

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Jim Crow Digs In

On March 1, a panel of the federal government's leading number crunchers decided that it might not be such a good idea, after all, for the Census Bureau to adjust last year's nationwide tally according to the "sampling" methods of modern statistical science. It might make the enumeration's inaccurate raw head counts even *more* inaccurate. Commerce secretary Don Evans couldn't have been happier with the substance and timing of this recommendation. Last Tuesday he used it to justify a policy announcement he'd long been expected to make anyway: His Census Bureau subordinates would henceforth promulgate raw head counts only. No adjustments allowed.

Which means that final Census 2000 figures will not include those alleged millions of "overlooked" minority citizens who could purportedly have been recovered with precision by sampling techniques. Which in turn means that nationwide congressional representation will shortly be reapportioned among the states, and voting district boundaries will be redrawn, as if those theoretical millions did not exist. This explains why polite American opinion has greeted the Evans move with dismay. And why the Democratic party, which fancies itself the One True Church for polite opinionators and minority citizens alike, has so eagerly condemned Evans for it. Of course, if that expert panel is right, and the sampling advocates are wrong, all this anger and piety amounts to nothing—another sterile debate about numbers.

The debate has unfortunately obscured the extent to which Census 2000 *will* genuinely implicate central constitutional interests for the millions of Americans it assigns to one or another "minority" category. By a deliberate design for which both political parties must share significant blame, the census will serve to abuse the franchise of every voting-age citizen it classifies as a minority—not by counting such people badly or well, but simply by counting them separately in the first place. And then by aggressively marketing the results, so that census data might continue to sustain perhaps the single most grotesque phenomenon of modern American identity politics: the rebirth of racial gerrymandering.

The 1990 census was the first to work like this. Early in the administration of George Bush *père*, the Republican National Committee concocted a novel plan to manipulate the forthcoming decennial reapportionment of congressional voting districts across the country. They would scour the Census Bureau's new precinct-level demographic data, looking to locate each state's heaviest concentrations of African-American voters—then as now the nation's most reliably Democratic constituency. Next, the GOP would press a given state's redistricting authority to trace revised federal election boundaries around as many identified black neighborhoods as possible—the ugly though plausible theory being that isolating Democratic base voters in officially recognized "majority-minority" enclaves would vastly improve the fortunes of Republican candidates in every surrounding, thus-Caucasianized jurisdiction.

This scheme was effected beginning in 1991. Any state that dared resist the RNC's entreaties soon found that Republican appointees in the Bush Justice Department were prepared to demand that it acquiesce—on the basis of an invented-for-the-occasion legal argument that the Voting Rights Act of 1965 outright *required* the creation of Bantustan congressional districts, the contorted shapes and racialist nature of which had not been seen in the United States since the post-Reconstruction Jim Crow South. Congressional districts, for example, like North Carolina's pencil-thin 12th, which originally ran north to south for 160 miles down the center of the state, for much of its length comprising nothing but the asphalt pavement of Interstate 85—the better to avoid absorbing too many valuable white people from adjacent (Republican) areas.

Private plaintiffs have brought more than 100 lawsuits against such racially gerrymandered voting districts over the past ten years. And after generally extensive litigation, the federal courts have routinely invalidated those districts—because the Voting Rights Act clearly doesn't require them, just as the Constitution's 14th Amendment clearly doesn't permit them. Never once in the process, however, have the courts managed to explain precisely what our laws do require and permit in the area of race-conscious redistricting. Nor have they yet received so much as a speck of help in the effort from the institutional establishment of American politics.

Leading civil rights organizations all enthusiastically approve of racial gerrymandering, ideologically wed as they are, against substantial evidence to the contrary, to

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the belief that only in "majority-minority" election districts can a non-white politician ever run and win. And because Congress has neglected to revisit the Voting Rights Act for almost 20 years, federal law, it will surprise a great many people to learn, still strongly echoes that separate-but-equal view. Section 5 of the Act, for example, continues to subject the presumptively discriminatory election systems of 16 specific states, in whole or part, to mandatory Justice Department supervision. Together they account for more than a third of total U.S. territory and roughly a quarter of our national population. Can it be, in the year 2001, that Monterey, California, and Brooklyn, New York, cannot be trusted to administer non-racist voting booths? The law, very explicitly, says yes.

And the law thus makes itself ridiculous, and worse. But the Democratic party will not raise a finger to set things right. Never mind that, where overall numbers are concerned, it is Democratic incumbents in the House of Representatives who suffer most directly from racial gerrymandering. So much do Democrats quail before the Congressional Black Caucus and like-minded interest groups that the party has lately gone on record swearing to defend the device. Will the Republican party of George Bush *fils* now work to contain the gerrymandering contagion that his father's confederates did so much to spread? No, there's no reason to think so. They're convinced they have a winner here. And it was only a few weeks ago that National Republican Congressional Committee chairman Tom Davis restated an intention to press his party's advantage to the max. "We have attorneys ready," he told the *Washington Post*. If, in the next round of redistricting, any state proposes to reduce the minority percentage of even a single district's registered electorate, Davis vows to sue.

Several months ago, the American Civil Liberties Union submitted a brief to the U.S. Supreme Court in defense of a racially gerrymandered district currently represented by an African-American Democrat and surrounded by districts of a lighter, more Republican hue. What could be wrong with the majority-minority district in question, the ACLU asked? After all, the ACLU brief continued, "there is nothing sinister or unlawful about the desires or efforts of whites to elect candidates of their choice, including candidates of their own race." Amazing. If the ACLU were correct that this is what white people are up to, it *would* be sinister, wouldn't it? And if the government arranged its laws and practices to facilitate such a sinister design, that *would* be unlawful, wouldn't it?

We hope so. But we're really not so sure any more.

—David Tell, for the Editors

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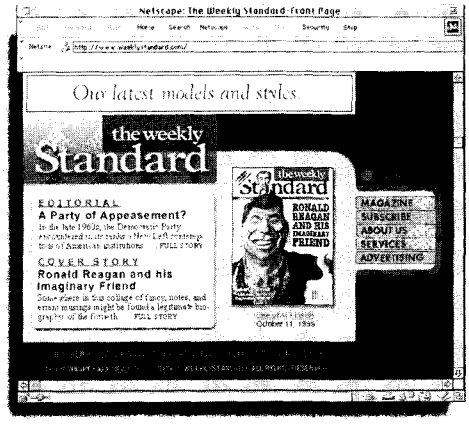

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Beijing Goes for the Gold

Will China in 2008 be a repeat of Berlin in 1936?

BY MIKE MURPHY

MEET ZHOU JIANXIONG. A farmer in China's central Hunan province, Zhou was tortured to death by family planning officials in search of his wife, who was suspected of being pregnant without government permission. Zhou, who was 30 at the time of his death, was hung upside down, beaten with wooden clubs, and branded with irons.

Zhou's violent death is chronicled in a new report by Amnesty International, which contends that the use of torture against political dissidents, criminal defendants, and laborers is "widespread and systemic" in China.

Haunted by an atrocious record on human rights, China is hoping to use the international spotlight and prestige of the Olympics to polish its image. Beijing is a finalist in the competition to host the Summer Games in 2008. Toronto, Paris, Istanbul, and Osaka are also in the running. The International Olympic Committee (IOC) will announce the winner on July 13 in Moscow.

For the Communist leadership in Beijing, who desperately want to shed the baggage of Tiananmen Square and host a showcase Olympics, the Amnesty International report must seem like déjà vu all over again.

Back in 1993, Beijing was the front-runner to host the 2000 Summer Games. In one of the greatest Freudian slips of all time, Juan Antonio Samaranch, the head of the IOC, announced that Beijing was the winner before correcting himself and declaring that Sydney had actually won narrowly, 45-43.

Beijing's supporters were livid at human rights activists and politicians in the United States and England for "politicizing" the selection process. But China was the one doing the politicizing: Beijing, which is one of the world's most polluted and congested cities, would not even have been in the running, except for pro-China politics.

After refusing to bid for the 2004 Summer Games, China is making an all-out push for 2008. At the Sydney games last September, Chinese officials, who are usually leery of foreign media, aggressively courted reporters with a glossy brochure in hand that declared, "awarding Beijing the honor of hosting the 2008 games will encourage China's continued growth and interaction, fulfilling the true aims of the Olympic spirit in uniting the world through sport." Or else.

China's new bid is serious. The government has already pledged $18 million for infrastructure improvements and pollution controls in Beijing and has powerful allies. In addition to Samaranch, who has announced that he will retire after the selection of the 2008 host city, Beijing's bid has secured the financial backing of General Motors, Budweiser, and Amway. This support and the narrow margin of its defeat in 1993 have led many observers to declare that the 2008 games are Beijing's to lose.

The prospect of the 2008 Olympics being held in totalitarian China should concern everyone who cares about basic human rights. Despite the happy talk of recent years, China remains one of the most tyrannical and repressive regimes in the world. Its Communist leadership is busy threatening democratic Taiwan, building a deep-water navy, and creating a strategic nuclear missile force that can reach American cities, all while sending technicians and equipment to aid Iraq as Saddam tries to strengthen his military.

Against this backdrop of military muscle-building and global mischief-making, nothing would please China's rulers more than broadcasting the global pageant of a peaceful and friendly China hosting the games. No better event exists to send a propaganda message about a "New China," and the Chinese leadership knows it. In a display of cynicism that would make even Stalin blush, Beijing officials brazenly announced last November that they would hold the beach volleyball tournament in the once blood-soaked Tiananmen Square if they host the 2008 games.

Given Beijing's corporate and IOC support, it would seem the fix is in. But a Beijing Olympics is not yet a done deal. Technical experts have grave doubts that China's shaky infrastructure can handle the demands of the games. The IOC's own technical report ranks Beijing near last, behind Paris, Toronto, and Osaka. Only Istanbul fares worse. And despite her rulers' efforts at camouflage, China's dismal human rights record will not go away.

China's effort to put on a better public relations face while pursuing the 2000 Olympics is instructive. In 1993, with much fanfare, China released activist Wei Jingsheng from prison, where he had languished in solitary confinement for the crime of editing a magazine in 1979 that was critical of Deng Xiaoping. After China lost its bid to host the 2000 Summer Games to Sydney, Wei was sent back to prison for an additional four years, three more than his original sentence. He was finally released in 1997 on the condition that he live in exile.

As detailed by the recent Amnesty International report, there has been no progress on human rights in

Mike Murphy is a political and media consultant. Trent Wisecup assisted with this article.

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OLYMPICS LEAVE GLOW OF PRIDE IN THE REICH

Germans Themselves Seem to Have Taken Some Lessons to Heart and Visitors Gain a Good Impression

By FREDERICK T. BIRCHALL
Wireless to THE NEW YORK TIMES.

BERLIN, Aug. 14.—These Olympics have been notable not only in themselves but for the effect they have had upon all who have participated in them and watched them

American readers must be getting tired of the constant iteration that they are the biggest athletic games ever held, the most largely attended, the best organized, the most picturesque and the most productive of new and startling records. However, that is not only all true, but it is the picture constantly impressed on one's mind as one moves from one stirring score to another, always amid a good-humored, happy crowd, always under a forest of bright-colored flags, never lost or jostled, with plenteous space around and courteous guides at

Athletes take the Olympic oath at the Berlin Stadium—One of many stirring scenes the Reich planned for the world to see.
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Fawning New York Times *coverage of the Berlin Olympics*

China since Tiananmen Square. In fact, things may be getting worse. Perversely, this is being used as a selling point by backers of Beijing's bid for the 2008 games.

They frequently cite the 1988 games in Seoul as an example of how the Olympics can provide an impetus for democratic reforms. This analogy is flawed. Democratic forces were already at play in South Korea prior to 1988. China's record on human rights offers little such hope.

Indeed, if an analogy is called for, a darker and more persuasive comparison can be drawn between Beijing's quest for Olympic legitimacy and Hitler's use of the 1936 games to add international luster to his Nazi regime.

The Olympics had been awarded to Germany prior to Hitler's ascension to power. Hitler was initially opposed to the idea of hosting the Olympics, but his minister of propaganda, Joseph Goebbels, convinced him that the Olympics were, in fact, a tremendous opportunity to legitimize Nazi Germany. Hitler's henchmen went to work. A few weeks before the games opened, a high level official in Germany's Ministry of Propaganda told members of the German National Tourist Association that "there has never before been developed a propaganda campaign equal to that of the Olympic Games. The foreigner who comes to us shall see the German people united under its leader Hitler. Tourism is an important weapon in the struggle for the re-establishment of Germany's world rank."

Under the direction of Goebbels, anti-Semitic newspapers and magazines were removed from newsstands, and journalists were ordered to temper their reporting to accommodate tourists and members of the foreign media. An international radio network was constructed to broadcast the games to a worldwide audience, and closed circuit television was used for the first time. The fleet of zeppelins was enlisted to rush newsreel footage across Europe.

While Hitler was working feverishly to build up Germany's military machine and launch his reign of terror, the rest of the world saw a gracious and patriotic country during the 1936 Summer Olympics. "Foreign visitors are departing almost fulsome in their praise of German organization and German hospitality," wrote the *New York Times* in a piece filed on August 14, 1936. "Foreigners who know Germany only from what they have seen during this pleasant fortnight can carry home only one impression. It is that this is a nation happy and prosperous almost beyond belief; that Hitler is one of the greatest, if not the greatest political leaders in the world today, and that Germans themselves are a much maligned, hospitable, wholly peaceful people who deserve the best the world can give them."

Congress and the administration should be loudly protesting the potential for a new totalitarian Olympics. If we are fooled again, if we replay Berlin 1936 as Beijing 2008, what will be our excuse? ♦

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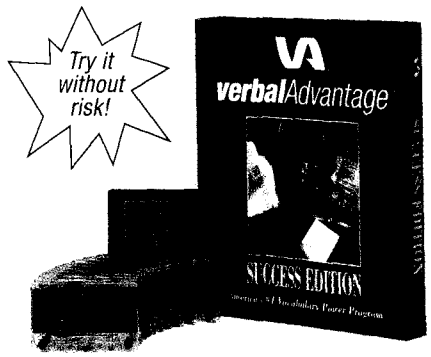

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"Character" Talk Is Not Enough

Drawing the right and wrong lessons from a school shooting. BY ANDREW FERGUSON

TO THE SURPRISE of everyone but his speechwriters, George W. Bush has shown in the last seven weeks that he's a president who can rise verbally to the occasion, having delivered an extravagantly praised inaugural address and then a well-turned speech to Congress last month. But the note he struck last week, in the aftermath of the shootings at Santana High School in Santee, California, was jarringly off-pitch.

As presidents often do when called to comment on breaking news, Bush shoe-horned his remarks into an unrelated photo opportunity (this one for Medicare reform). "Before I talk about the business at hand here," he said, "I want to say how saddened we all are to know that two students lost their lives in Southern California, others have been injured, in a disgraceful act of cowardice."

The expression of sadness was perfectly appropriate, because universally shared; this is one of the things we like our presidents to do. But the characterization that followed ("a disgraceful act of cowardice") fell with a graceless thud. *Coward* and its variants have become an off-the-shelf imprecation of political speechmaking, hauled down to revile acts of international terrorism. Presidents like to stand tall in the White House press room and condemn the cowardice of Saddam Hussein or Manuel Noriega or Muammar Qaddafi. Applied from the presidential podium to a 15-year-old, however, even a murderous one, it carries the shrillness of a schoolyard taunt—the kind of thing that might have helped lead the boy into madness to begin with. There are many words to describe Charles "Andy" Williams and what he did. *Chicken* is the least of them.

For surely it was an act of madness—or of evil, to employ a religious category. Yet the president, a famously religious man, chose instead to cast it as a failure of character. "When America teaches their children right from wrong," he went on, "and teaches values to respect life and the values that respect life in our country, our country will be better off." He was wandering here into the Bushian verbal thickets that snared him so often during the campaign, but the meaning is clear enough. Had Williams known better the difference between wrong and right, had he been more competently instructed in the values of life, the knowledge might have

Andrew Ferguson is a senior editor at THE WEEKLY STANDARD.

AP / Wide World Photos

A makeshift memorial at Santana High

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stayed his hand. The failure of character was both his and ours.

This is a questionable claim, and out of place in a statement of national commiseration in any case. The Santee murders probably involved multiple failures: a failure of security at the high school, maybe, and a failure of nerve among the friends who heard Williams's threats and declined to report them; a failure, too, of adults who might have seen signs of the boy's disintegration and neglected to heed them. But it is implausible to say that what led Williams to bust open his father's gun chest and bring the gun to school, to load it and discharge it into a crowd of his classmates, to reload it and then discharge it again and then again, and never once thereafter to utter a syllable of remorse—it is implausible that all this was a consequence of his insufficient understanding of how proper boys of good character are supposed to behave.

Most unnerving in the president's remarks was that they sounded like a sly plug for "character education," which plays a large role in his program for education reform and indeed is a cornerstone of his faith-based initiatives and of "compassionate conservatism" as a whole. Our statesmen, and presidents especially, are always on the lookout for ways to advance an agenda, of course. Within 72 hours of the Columbine shootings in 1999, President Clinton was plugging $180 million in federal funds to "promote comprehensive school safety strategies," had reintroduced a handful of gun control measures, and had ordered up an emergency, 150,000-copy print run of the government's indispensable pamphlet *Early Warning, Timely Response: A Guide to Safe Schools*. His Republican adversaries on Capitol Hill, meanwhile, immediately called for a televised National Conference on Youth and Culture to plumb the depths of the problems exposed by Columbine. Surely you remember the National Conference on Youth and Culture.

In contrast to this kind of policy hoggishness, President Bush's mild pitch for character education classes seems admirably modest. Seldom, though, does the occasion for advancing an idea so clearly demonstrate its limitations. Character education is the latest in a long series of desperate measures ("values clarification," "self-esteem development") dreamed up by educators to reintroduce notions of morality into the country's antiseptically secular classrooms. Yet even by the standards of modern education, CE (it's an acronym now) is a wan and attenuated exercise.

At its heart is the odd premise that character is something we can fit children for and then easily slip them into, like a tailor-sewn topcoat (or a hairshirt). A school deep in the throes of character education looks like a Maoist reeducation camp run by the Teletubbies. Hallways are renamed "Responsibility Lane" and "Caring Corridor." Students gather into groups to recite the "Pillars of Character." Those who perform well are given "CHARACTER COUNTS!" T-shirts and colored ribbons and free ice cream. Banners are hung in the cafeteria demanding that children "PRACTICE RANDOM ACTS OF KINDNESS." And so on.

Administrators and teachers I've talked to swear that character education meets the rather modest goal that has been set for it, which is to restore some semblance of civilization to the classroom; it discourages, they say, cheating, fibbing, and disrespect for authority. It offers definitive answers to such questions as, "Should you lie to your mom?" or "Should you crib answers to the quiz?"

But in the wake of last week's shootings, and of last year's shootings and those of the year before that, the relevant question is one that character education teachers quite understandably never thought to raise: "Should you raid your dad's gun collection and shoot up your school?" It is hard for politicians and educators to admit that there are dark regions beyond their reach, beyond the reach of politics and policy—beyond the reach of presidents, even. ♦

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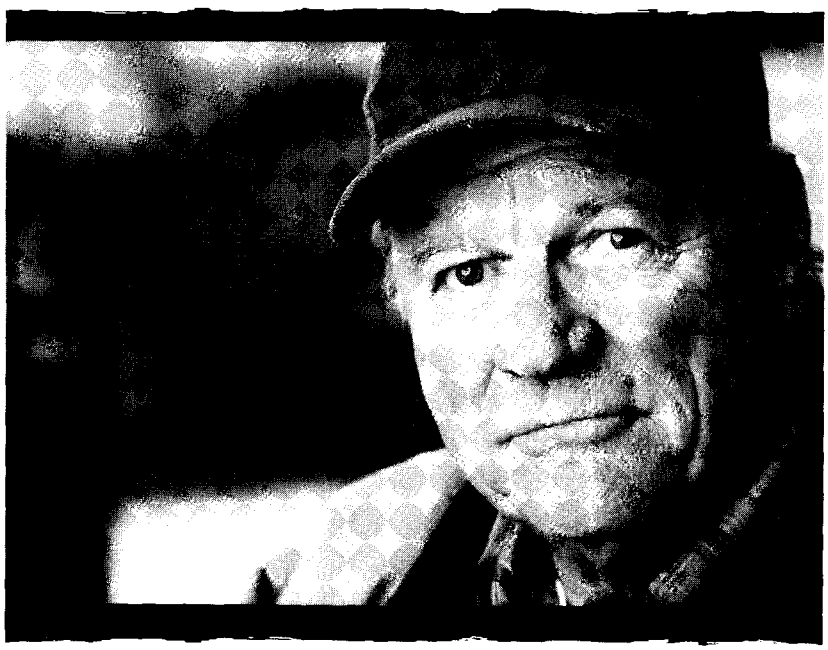

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Driving While Bush

How ending racial profiling became Ashcroft's top civil rights priority. BY TERRY EASTLAND

MIDWAY THROUGH his recent budget speech to Congress, President Bush announced that he had asked attorney general John Ashcroft "to develop specific recommendations to end racial profiling." The practice, he continued, "is wrong and we will end it in America." Two days later Ashcroft held a press conference to announce how he meant to fulfill the president's directive. Whereupon representative John Conyers—a prominent member of the adamantly anti-Bush, anti-Ashcroft Congressional Black Caucus—praised both Bush and Ashcroft. The sponsor of legislation aimed at curtailing racial profiling, the so-called "driving while black" bill, Conyers applauded the president for "stepping up on the subject" and the attorney general for "moving on it." The American Civil Liberties Union, meanwhile, issued a press release supporting the effort.

This is how the Bush administration has entered the civil rights arena: from a portal on the left, to the praise of usually implacable foes, and with little comment from the right. Ending racial profiling is not what one would have expected to be the first civil rights initiative of a Republican administration. After all, the principal critics of racial profiling have been the Democratic party and its racialist allies, like Al Sharpton. Ending racial preferences in federal programs, or stepping up prosecutions of criminal civil rights violators, would have seemed a more likely Republican choice. By taking aim at racial profiling, Bush is altering his party's approach to civil rights. The question is, to what end?

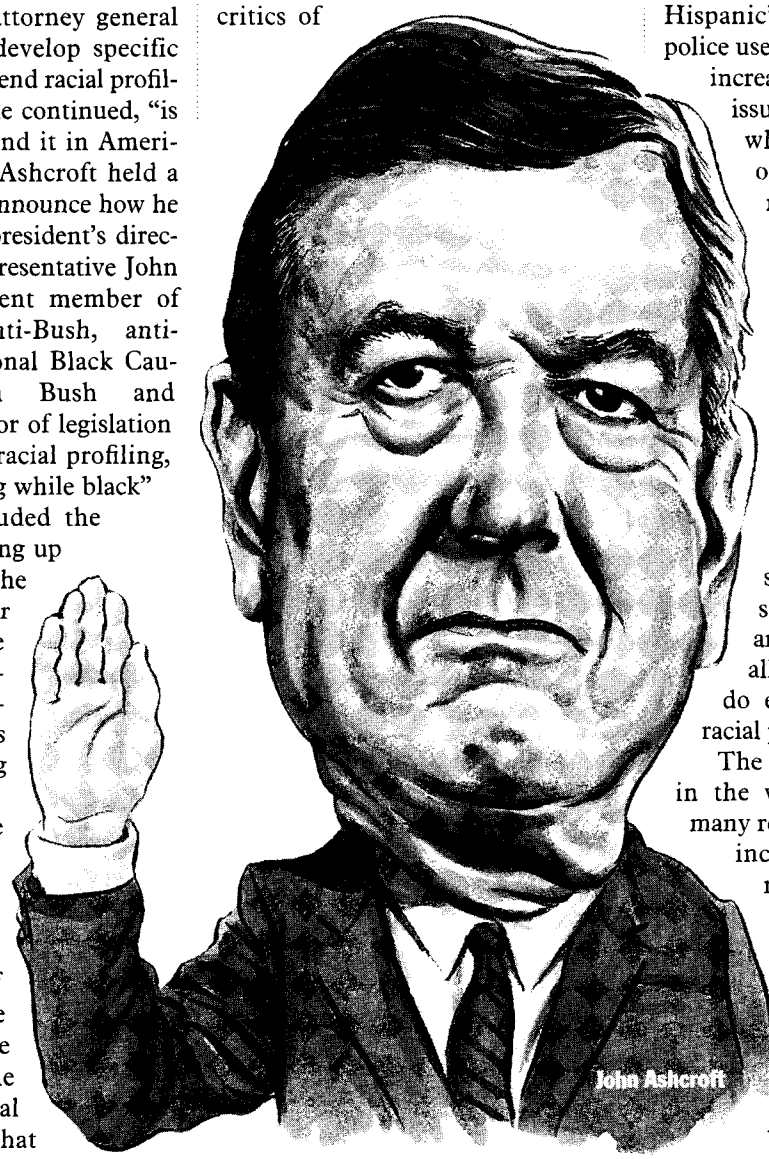

Illustration by Drew Friedman

Bush personally became an opponent of racial profiling in late 1999 during a campaign visit to a small Iowa town where a large number of Hispanics lived, drawn by jobs at a new meat processing plant. "We had heard," says a Bush aide who was on the trip, "about Hispanics being stopped by police because they were Hispanic"—because, that is, local police used ethnicity as a proxy for an increased risk of criminality. The issue was driven home for Bush when the police stopped one of his campaign's advance men, who was Hispanic. Bush was upset and resolved to oppose racial profiling. While he didn't mention the issue in his stump speech, he left no doubt where he stood when it came up during the second presidential debate. "I can't imagine what it would be like to be singled out because of race and stopped and harassed," he said. "That's just flat wrong, and that's not what America's all about. And so we ought to do everything we can to end racial profiling."

The issue assumed new urgency in the wake of the election. For many reasons—Bush's emphasis on inclusion, his rejection of racialist rhetoric, his record of improved education for minorities in Texas, even his ability to speak Spanish—the Republican candidate had seemed to have a better chance than usual of attracting minority votes. But Democrats engaged in virulent race-baiting and polarizing demagoguery, and minority voters, blacks especially, were aroused against him. Indeed, Bush won only 8 percent of the black

Terry Eastland is the author of Ending Affirmative Action: The Case for Colorblind Justice *(1996).*

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vote, less even than Bob Dole's 13 percent in 1996. The protracted endgame in Florida only worsened blacks' perception of Bush, thanks to repeated (though dubious) charges of disenfranchisement of black voters. With polls capturing "a sharp racial divide" in the country, the president-elect resolved to close it.

Bush's inaugural address revealed a key element of his strategy. "While many of our citizens prosper," he said, "others doubt the promise—even the justice—of our own country." Here Bush was reflecting how those "others" see things, climbing into their shoes. "He was recognizing," says a White House official, "that there are still significant differences in the way African Americans and whites view the world, and that's not good for the country." Bush said he wouldn't accept this state of affairs and pledged "to build a single nation of justice and opportunity." His initiative against racial profiling—which affects blacks more than any other group—is a means toward that end.

In Ashcroft, Bush selected for attorney general someone who shares his opposition to racial profiling. Ironically in light of the civil rights groups' fierce opposition to Ashcroft, his position on the issue may have been a key factor in Bush's decision to nominate him. During his press conference, Ashcroft said he had talked with Bush about racial profiling "from the very first conversations" the two had about the job of attorney general.

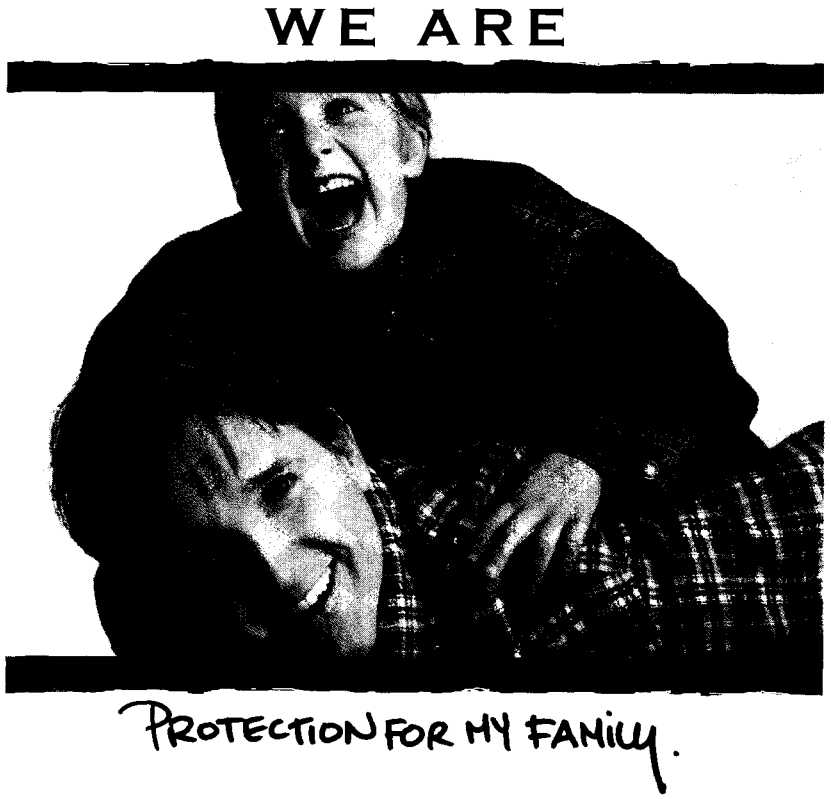
For Ashcroft, the issue is a familiar one. In the Senate, as chairman of the Judiciary subcommittee on the Constitution, he took an interest in legislation introduced by senator Russell Feingold. The bill, similar to the House bill pushed by Conyers, directed the attorney general to conduct a nationwide study of traffic stops to determine the extent to which race determines who is stopped. Ashcroft wasn't particularly active as a subcommittee chairman, but on this subject he held hearings. "For him to say to Russ Feingold, let's do this together, that says something about his interest," notes a former Hill staffer. Ashcroft was particularly struck by the testimony of a black man who, while driving with his 12-year-old son, had been stopped twice by police on account of his race. The second time they searched his car to the extent of drilling holes looking for secret compartments and left the man and his son stranded on the side of the road.

Now, Attorney General Ashcroft has called on Congress to pass a bill like Feingold's and Conyers's. He has also begun a review of the nature and extent of any racial profiling by federal law enforcement agencies.

Where all of this will lead is hard to say. If the legislation is too prescriptive about what state and local agencies may do, it will conflict with the administration's concern for federalism, already noted by Ashcroft. Should "ending racial profiling" hit such a legislative impasse, Conyers and company could cast Bush and Ashcroft as insincere. Certainly the administration will have a hard time keeping pace with former critics who now offer praise.

For the time being, the most intriguing aspect of the administration's initiative is not the politics behind it but the legal theory. In most cases, the Supreme Court has held that a racial classification by government must pass the "strict scrutiny" test—that is, it is constitutional only if there is a compelling reason for it and it is narrowly tailored to achieve its goal. Until now, racial profiling has been one of the exceptions, subjected to less demanding tests. But Ashcroft, an aide told me, rejects this. He thinks racial profiling "is fundamentally at odds with strict scrutiny. . . . Even if it is a compelling state interest," said the aide, "[it] isn't narrowly tailored."

The implications of this position are, so to speak, arresting. One of the big questions about racial profiling—not yet addressed by either Bush or Ashcroft—is whether law enforcement officers should be required to



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report by race those they stop or search. This is now being debated in Texas, where the state's ranking traffic officer, expressing a view common among those in law enforcement, recently told the *Dallas Morning News*: "We can't ask [a law enforcement official] to say, 'Well, I've searched five whites and I've searched four blacks, so I can't search any more blacks.' We don't want them to break it down that way. We want them to treat everybody the same." Ashcroft's view that racial profiling itself is unconstitutional would seem to resolve this issue—against forcing officers to report by race.

Will Ashcroft find a case in which he can advance the proposition that racial profiling should be subjected to strict scrutiny, which has almost always proved fatal to racial classifications? And will constitutional law, as a result, become more colorblind? We've got almost four years to find out. ♦

Can Tort Law Be Ethical?

A proposal to curb ill-gotten gains.

BY MICHAEL HOROWITZ

SOMEONE STICKS A LOADED GUN to your head and asks for your wallet. Do you resist if you know the bullets are cheap and likely (but not certain) to be duds?

Today, mass tort litigation creates similar bet-your-life scenarios for increasing numbers of industries. Federal circuit court judge Richard Posner has noted that when a jury can "hold the fate of an industry in the palm of its hand . . . and hurl [it] into bankruptcy . . . the industry is likely to settle—whether or not it really is liable." Law increasingly counts for little in mass tort cases; fixing the size of payoffs to make the cases go away has become its primary function.

Think otherwise? Then imagine yourself general counsel of McDonald's, faced with a nationwide class action brought on behalf of millions of Happy Meal customers who claim that their diabetes, obesity, and heart attacks were caused by your products, and with a companion series of suits brought by government agencies that paid for their medical care.

Your first reaction would be fury and incredulity. You know—or think you do—that french fries aren't cigarettes. You know that McDonald's tried and failed to sell low-fat hamburgers, that it gainfully employs vast numbers of young people, that millions of customers enjoy its products every day. That's when reality intrudes.

The first dose would come when you noted that the damages claimed in the combined suits vastly exceed the entire net worth of McDonald's—that it will be out of business if the cases are tried and lost. You then realize that the company's files almost certainly contain memos discussing the health effects of your products. You also note that the public is less aware of the risks of eating Big Macs than of smoking Camels, that you've done little to advise your customers of those risks, that many of those patrons are young and unschooled, that you've made it hard for them to know the fat and calorie content of what you sell, that armies of expert witnesses and government officials are prepared to second-guess your menu and recipe decisions and to allege that "junk foods" are killing America. Your government relations vice president then describes the price the company will pay for waging sustained public war on political officials eager for massive lawsuit windfalls they can spend without having to pass tax increases. Your media people also warn that document leaks and angry politicians orchestrated by media-savvy lawyers can metastasize the company's happy face image into a skull and crossbones faster than you can say asbestos or Bill Gates.

Finally, you note that 8 or 9 state supreme courts—or has it now become 19 or 20?—are, like the Florida Supreme Court, dominated by tort lawyers implacably eager to redistribute your assets without regard to fault. And, if that isn't enough, the value of the company's stock has dropped precipitously since the lawsuits were filed. As a prudent lawyer and company officer, you'll soon come to understand what you need to do.

First, make sure all your competitors—Popeyes and Taco Bell, as well as Wendy's and Burger King—are also named in the suit. Then, after learning from your marketing people that the bottom won't drop out of sales as long as you (and your competitors) don't add more than 30 cents to the price of Big Macs, conduct a kabuki ritual of discovery proceedings whose singular objective is a settlement that will increase burger prices by no more than a quarter (with comparable increases for chicken wings and burritos).

Settling will be easy, for all you'll need to do is pay a nickel a burger for the next 25 years to the 300 or so lawyers who brought and control the cases. To be sure, this tort tax on your products will hurt business, and you'll be squeezed some by the nutrition education programs and modest salt and calorie reductions you'll be required to implement as part of the settlement. But offering a nickel rather than a penny a burger for legal fees (and offering government health care programs more lucrative settle-

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ments than individual plaintiffs) will do wonders in getting a settlement you can live with. Among other things, it will convert the lawyers who sued you into self-interested guarantors of the health of the fast food industry; and it will immediately return your stock price to where it was when the cases were brought.

The settlement will of course add eight or ten new tort lawyer billionaires to the Forbes 400 and will give the tort bar more disposable income to "invest" in the political process than all parties now spend in all U.S. elections in any given year. But that will be the next industry's worry, not yours.

The above scenario is, precisely, the story of the great asbestos and tobacco lawsuits of the 1990s. It explains why, in order to save itself, Dow threw its Dow Corning division to the wolves in the junk science breast-implant cases. As former *Washington Post* business editor David Ignatius has written, it will one day be the story of an oil industry that sits with global warming risk memos in its files if droughts or floods depreciate property values in different regions of the country. And consider this recent Department of Agriculture report: Carbonated soda provides more sugar in a typical 2-year-old's diet than cookies, candies, and ice cream combined, while more than half of 8-year-olds drink a can of soda per day and a third of all teenage boys drink at least three cans per day. Do you think for a second that creative tort lawyers won't try to link this "soda addiction" to any number of present and future health and social ills? Are you ready, Coke? Will you be ready when the tort bar dominates 30 state supreme courts? Cheer up, for you'll be able to get out of it all without too much damage if you pay the tort lawyers a penny a can for 25 years or so. On second thought, maybe you'll need a penny and a half to make them go away.

Under every canon of legal ethics, these blackmail scenarios should be proscribed. The central premise of legal ethics—that lawyers are fiduciaries restricted to reasonable and risk-based fees—is shattered when, as in the tobacco cases, lawyers are scheduled to receive $200,000 per hour fees for late-filed, copycat cases. Fee ethics mandates are said to be particularly critical in contingency fee cases where, as courts and scholars have noted, $100-million cases seldom require ten times as much risk and effort as $10-million cases. In fact, the relationship of case size to attorney risk is reversed in mass tort cases, where survival threats to defendants make $245-billion cases easier, rather than a thousand times harder, to win than "mere" $245-million cases.

The central premise of legal ethics is shattered when lawyers receive $200,000 per hour fees for late-filed, copycat cases.

President Bush proposed during the campaign to apply to lawyers in mass tort cases the Internal Revenue Code provisions that govern fiduciary breaches of duty by pension fund trustees, foundation executives, and employees of 501(c)(3) non-profits. Under this so-called Jim and Tammy Faye Bakker provision of the 1996 Taxpayer Bill of Rights, overreaching fiduciaries have the "choice" of refunding their excess payments or paying a federal tax of $2 for every dollar they keep. Under the president's proposed reform, attorneys in successful mass tort cases would be handsomely but not obscenely compensated. Based on a developed body of law governing the compensation of lawyers in shareholder suits, mass tort fees would be based on high hourly "lodestar" fees multiplied by a factor as high as six to cover the risks the lawyers assumed when they brought their cases.

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Acting as if President Bush's reform proposal never had been made, a group of tobacco attorneys recently sold a 12-year strip of about $1 billion in future fees for $308.1 million in immediate cash—thereby transferring the risk of non-payment of their fees to banks and investors. That cash-out was reported to be the first step in a planned two-year securitization of all future fees from the tobacco lawsuits, estimated to provide a payout of no less than $3 billion and as much as $10 billion.

Perhaps the lawyers and their bankers believed that the Bush proposal was not meant to be applicable to the tobacco settlement fees, and early comments from unnamed Bush spokesmen may have given them grounds to believe that this was so. If so, the lawyers and their bankers are in for a rude surprise. Page 80 of the president's budget contains this terse and, to taxpayers, cheering sentence: "The budget also assumes additional public health resources for the States from the President's proposal to extend fiduciary responsibilities to the representatives of States in tobacco lawsuits."

The Bush budget thus ensures that members of Maryland's congressional delegation will soon be asked to decide whether sick Maryland smokers (and the government agencies that pay for their care) or tobacco attorney Peter Angelos will receive the overwhelming bulk of the $1.1 billion fee now sought by Angelos. They will do so knowing that Angelos's services were rendered under a statute which, in the words of the state senate president, Mike Miller, "changed centuries of precedent to ensure a win." They will do so with the country's leading ethics scholars arguing that almost all of the money must go to Maryland rather than Angelos if codes of ethics are to have any meaning at all. Ted Kennedy, meanwhile, will get to vote on whether the bulk of the $775 million awarded to the Massachusetts tobacco lawyers should go to them or that state's health authorities. This comes in the face of sworn testimony by tort lawyers from other states that the Massachusetts attorneys added little or nothing to the settlement received by Massachusetts. Other members of Congress will have similar opportunities to decide whether fiduciary standards that still allow tobacco lawyers to be paid as much as $3,000 per hour are too ungenerous to those lawyers.

The Bush proposal will chill the plans of the tobacco lawyers to take a $3-$10 billion payoff and run. It sets up what will be a defining national debate on the role and rule of lawyers. Finally, it offers the tort bar the lesson that many Americans are now also learning: Don't underestimate George W. Bush. ♦

Michael Ramirez

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Round One to Bush

The tax cut passed the House with ease. Heavy lifting may be needed in the Senate. BY FRED BARNES

ON THE EVENING before the vote in the House on the most important part of his most important initiative—the $1.6 trillion tax cut—President Bush watched a movie. He invited leaders of Jewish organizations and Jewish members of Congress to join him in the 40-seat White House theater for a screening of *Varian's War*. The movie is about Varian Fry, an American who engineered the escape of Jewish artists and intellectuals from Vichy France in World War II. Bush sat with Lionel Chetwynd, the movie's director and one of Hollywood's few conservatives and Bush supporters. Bush hung around for an hour afterwards, chatting. The subject of taxes never came up.

The president's insouciance was vindicated. The next day, he barely lifted a finger to win passage, 230-198, of across-the-board reductions in tax rates on individual income, the largest and most contentious element of his tax bill. Republicans had been surprised several days before the vote when they polled GOP House members and found no one determined to vote against the rate cuts. Bush made a handful of calls to Capitol Hill, but only one mattered. That was to representative Connie Morella of Maryland, probably the most liberal Republican in Congress. She was persuaded and joined every other Republican in the House—and 10 Democrats—in voting for the cuts.

Republican leaders dutifully credit Bush for achieving such amazing GOP unity. "The president has done a great job" in promoting his tax cut, says the deputy Republican whip, representative Roy Blunt of Missouri. Bush has been helped, Blunt adds, by the economic downturn and the near endorsement of his tax bill by Federal Reserve chairman Alan Greenspan. To keep up the momentum, says senator Rick Santorum of Pennsylvania, the president "should spend very little time in Washington over the next few months and continue selling, selling, selling." That is exactly what Bush intends to do.

The buzz in Washington is that Bush will have to compromise substantially to get a reasonable facsimile of his tax cut through the Senate. Maybe not. True, the Senate, tied 50-50, will be tougher than the House. And the five Senate GOP moderates who have balked at the Bush measure for one reason or another have considerably more leverage than House moderates. Then there's senator John McCain of Arizona, who conspicuously has not lined up with Bush. So Bush starts out with 44 Republicans and one Democrat, Zell Miller of Georgia. That means he needs five more votes, plus the tie-breaker of Vice President Dick Cheney.

Where will he get them? Let's start with the dissident Republicans. Chairman Charles Grassley of the Finance Committee needs two of them just to get the Bush bill to the Senate floor. The toughest is senator Olympia Snowe of Maine. To satisfy her, Grassley may have to add a "trigger" limiting the tax cut should debt payments fall short. Later, of course, on the floor or in a Senate-House

Fred Barnes is executive editor of THE WEEKLY STANDARD.

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conference on taxes, the trigger could be dropped. Or Snowe might settle for a non-binding Senate resolution urging a trigger. Bush has a hole card with Snowe: his father. Former president Bush, as a part-time resident of Kennebunkport, Maine, is a friend of Snowe and may be enlisted to lobby her. The other Republican, Jim Jeffords of Vermont, could be enticed with a promise of favors on other issues.

GOP leaders think Arlen Specter of Pennsylvania would be wary of being either the lone senator to abandon Bush or part of a renegade duo. And if Snowe signs on, that will make it easy for Susan Collins, the other Maine senator, to join up. That leaves Lincoln Chafee of Rhode Island. He's an enigma. Some Republican officials believe there's no way to win him over. McCain? Who knows whether he'll feel obligated to back the first major piece of legislation of the man who beat him for the Republican presidential nomination?

Let's assume Bush loses two or three Republicans, a pessimistic assumption. He'll need only two or three Senate Democrats to get to 50. He won't need the 60 votes required to block a filibuster because the tax cut will be handled as part of budget reconciliation, a process that bars filibusters. Bush already has Miller and will need one or two more. Senate Republicans insist they have a mystery senator who has privately committed to vote for Bush's bill. "More than one," a Bush adviser says. We'll see. Still, another Democrat may have to be plucked from a list of potentials that includes Robert Torricelli of New Jersey, Ben Nelson of Nebraska, Max Cleland of Georgia, Max Baucus of Montana, Tim Johnson of South Dakota, and Blanche Lincoln of Arkansas. My money is on Torricelli or Nelson.

By the time the Senate acts this spring, the House may have passed, on separate votes, a doubling of the child tax credit, elimination of the federal estate tax, and a more generous method of nullifying the marriage penalty than the president proposed. On each of these bills, several dozen Democrats are expected to vote with Republicans. The effect may be to put more pro-Bush pressure on the Senate.

No doubt Bush will have to shave some of the sharp edges off his tax cut to gain Senate passage. In 1981, President Reagan had to shrink the first phase of his tax rate cut from 10 percent to 5 percent. But Reagan was left with a tax bill close to what he wanted. Bush has a good chance of accomplishing this, too, but he'll need to work harder than he did in the House. After last week's movie event, Bush sent his guests on a tour of the White House, while he went to bed early, a luxury he may have to give up when crunch time arrives for his tax cut in the Senate. ♦

Michael Ramirez

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The Industry You Love to Hate

Learning why airline service is so bad will only make you angrier.

By James Higgins

You arrive at your destination late at night.
"Welcome to our hotel. Will you be checking in?"
"Yes, I have a reservation."
"And you'll be staying over until Sunday?"
"No, I'll be leaving a day early."

"Since you no longer have a Saturday night stay, we'll have to re-book your reservation. Instead of $129, your rate will be . . . let me see . . . $2,000 a night."

"What!?! I'll go to another hotel."

"All the hotels in this area are booked. Now please be seated over there. Guest traffic control has just told us that you're number 48 in line to be given a room."

"Hey, that chair looks like it was built for a child. My knees will be hitting the seat in front of me!"

"Regulations require that you be seated, sir. The wait shouldn't be more than two or three hours."

"I'm going to the men's room."

"Sir, if you do that we'll have to call security, sir."

And so you wait, and wait, and wait. Five painful hours later, a bellman arrives and leads you to a tiny door.

"Your room, sir."

"I'm starved. How do I order room service?"

"No room service on a stay of less than three days, sir. But you can have a bag of pretzels and a four-ounce container of mineral water with our compliments!"

"Where's my luggage?"

"We haven't found your luggage yet, sir. But if it's not delivered to you within 24 hours, under our 'Customers First' policy we pledge that the hotel manager will send you a form letter of apology."

"Hey, my reservation says I'm staying at the Hotel Grando DeLuxe. The sign out front says this is a CheapoLodge."

"We code-share with the Hotel Grando DeLuxe, sir . . ."

James Higgins is an adjunct fellow at the Claremont Institute for the Study of Statesmanship and Political Philosophy

Impossible? At a hotel, yes. But this treatment is what Americans have learned to expect from airlines. Americans may not agree about taxes, about Medicare, or about who won the last election. But bring up the subject of airline service, and liberals and conservatives alike shake with anger—sometimes even in front of television cameras.

Commercial air travel was once thought to be the great American success story: Industry deregulated, fares went way down, number of passengers went way up. Everyone lived happily ever after.

But then everything went wrong. U.S. airlines lost more money in a two-year period in the early 1990s than they had made in their sixty-year history. Fares shot up. One major airline held passengers captive on a grounded airplane during a Christmas blizzard in 1999. What should have been minor work slowdowns in the summer of 2000 paralyzed much of the air transport system. This year's labor problems promise more of the same. Passengers at some of the nation's largest airports have learned to expect two to three hour delays as the norm. And the airlines have hypnotized Congress into doing nothing but ask the carriers for vague promises to do better.

Moreover, no one seems to be able to explain how it all got this bad or what to do about it. Liberals meekly call for a "Passengers' Bill of Rights" but hesitate to call for regulation, since deregulation itself was an all-Democrat affair, the outcome of 1978 legislation sponsored by Teddy Kennedy and signed by Jimmy Carter. Conservatives, recognizing that the status quo is indefensible but not quite understanding why, grope for technical fixes like privatizing the air traffic control system—an idea that sounds frightening to many passengers—or take refuge in sentimentality about "the market" and how it should eventually cause airlines to stop antagonizing their customers.

We can see why the commercial air travel system is so confusing to analyze. It's an amalgam of airlines, airport authorities, federal regulators, and government air traffic controllers. So where does the problem lie?

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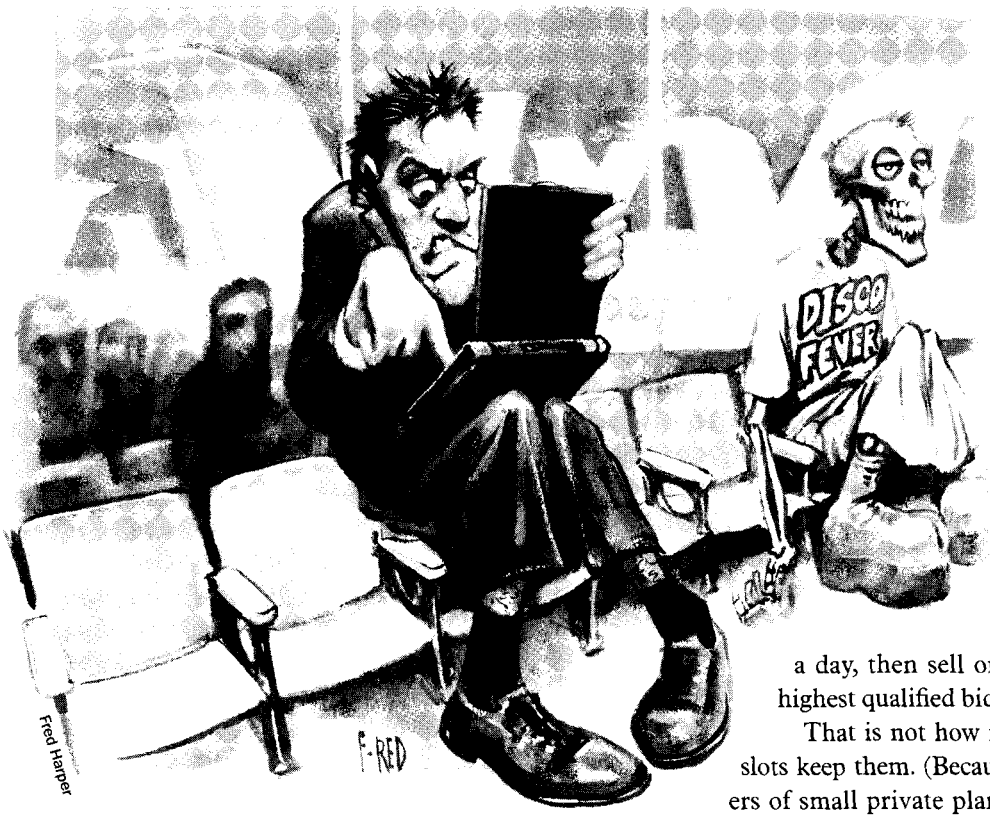

Fred Harper

Sports legend has it that Vince Lombardi once began a practice by going back to basics with the words, "Gentlemen, this is a football." To understand the economic reason why you've just waited three hours on the tarmac on a perfectly sunny day, we need to start by asking, "What is economics?" The answer is that it is the study of optimization: how to do things best *within constraints.*

What is the binding *constraint*, the limiting factor, in the air travel system? The answer is right before your eyes as you watch a long line of airplanes waiting to take off at a major airport. The constraint is the limited number of available takeoff and landing slots at our busiest airports.

When airlines were deregulated in 1978, they were deregulated only in a few, very limited ways. They could charge the fares they wanted, and they could apply to the government for the right to fly on new routes. Other important elements of the system *stayed the same.*

The process by which the government distributes takeoff and landing slots was not deregulated in 1978—or ever. In fact, it isn't really a market at all. It's a bureaucratic allocation of resources, something like the way the Soviet Union used to allocate food.

It's reasonable to wonder why capitalist enterprises such as major airlines would ever stand for such an arrangement. That question moves us beyond the *bad* part of the story—the absence of market pricing for the scarce, prime takeoff and landing slots—and brings us to an *even worse* part of the story. The major carriers that have these incredibly valuable assets get them forever, for free—*from you!* You can be sure you didn't see that fact of economic life mentioned in the brochure you got about your winter vacation in the sun.

Airports in the United States are almost all owned or leased by government agencies of some kind. If you were starting with a blank slate and wanted to allocate takeoff and landing slots for maximum benefit to the public, which owns the airport, you'd determine how many takeoffs and landings you could safely accommodate in a day, then sell or lease each of those slots to the highest qualified bidder.

That is not how it's done. Instead, those that have slots keep them. (Because of the lobbying power of owners of small private planes, the relatively minor landing fees airports charge are based on *aircraft weight.* Measuring the value of the time it takes to take off and land by weighing airplanes would have warmed the heart of a Soviet economic planner.)

Existing and new carriers alike nip endlessly at regulators' and politicians' heels, seeking and getting a few more slots here and a few more slots there at airports already laden with far more flights than they can accommodate. That's the part of the process that creates ever-lengthening flight delays. Occasionally, the floodgates break, and there is a real mess. The most recent example was the arbitrary decision by Congress to impose 300 new flights per day at New York's La Guardia Airport, a destination already choked with delays.

If you want to set up a popcorn stand at a major airport, you have to lease the space to do so at a rate that's related to the value of the space you want to use. But if you own the rights to use scarce takeoff and landing slots, there's no such market discipline. What matters is whether you or your corporate forebears got there to ask regulators for an allocation of slots ten or twenty years ago, or in 1968, when the practice of assigning slots started as an ad hoc attempt to reduce "holding patterns"—where planes circle over distant locations waiting their turn to land.

You can see what result this leads to. If you are Established Multinational Airline and happen to own the slots to fly from, say, Chicago O'Hare to New York La Guardia at 5 P.M. on a weekday, you can fill every seat with high-fare

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business fliers. But if you are Startup Airways, maybe you can get a 5 A.M. slot to go to a vacation destination to which every passenger will demand a $99 round trip.

These desirable slots are the single most valuable asset the major carriers have. In essence, they are a permanent, mountainous, government-sponsored barrier to entry and a de facto subsidy.

Once you understand that the big carriers get their most valuable assets *for free, forever, from the taxpayer,* it is much easier to comprehend why companies that provide such lousy service to customers have maintained and increased their hold on the U.S. passenger market. It's difficult to overstate the uniqueness and value of these assets: Slots that involve bilateral routes between big U.S. and foreign cities sometimes have to be wrung out of foreign governments personally by the president of the United States. But the federal government then gives away these slots to whichever carrier represents itself best in Washington.

That's not all. Once an airline has received its slots free from the taxpayer, this airline is allowed to turn around and sell the slots to other parties, keeping the proceeds. A new entrant who wants to become a national carrier has to buy desirable slots from an existing competitor.

It appears that the federal government didn't recognize this problem when undertaking partial deregulation in 1978. In 1985 the dying Pan American World Airways wanted to sell its slots for flights across the Pacific to United Airlines for $750 million of cash which Pan Am needed to stay in business. As Thomas Petzinger reports in his 1996 book on the airline industry, *Hard Landing*, the two airlines did not know whether they could get away with buying and selling a government-granted license.

Stopping that sale would have killed Pan Am, America's most storied carrier, and would have seemed a slap at airline deregulation. The government let the sale go through. Pan Am was interred in 1991, but the consequences of the decision to allow airlines to sell landing slots live on.

Doesn't this problem go away because the holders can sell the rights to new entrants? No, because having piles of solid gold landing rights—many of them growing in value with each passing year—permanently reduces the capital costs for the established carriers, allowing them to continue dominating the industry.

If this problem is so egregious, it's reasonable to wonder why we haven't heard about it. The answer is that none of the existing participants in the system has an incentive to explain what is going on. Do the major carriers want to advertise just what advantage they have that allows them to annihilate every startup airline? Do government bureaucracies, always seeing themselves as wise, want to give up their decision-making power to the marketplace? Do startup carriers want to antagonize the very bureaucrats they must deal with to get into the game at all? No, no, and no.

The power of landing slots as barriers to entry is awesome: *Every* major U.S. carrier now operating was already flying at the time of deregulation in 1978. The history of the last 23 years in commercial aviation is strewn with the carcasses of small and startup carriers, many of them backed by very smart, deep-pocketed investors with names like Pritzker, Icahn, and Kerkorian, who had succeeded in other businesses but who just didn't understand the slant of the playing field they were walking onto.

The current situation should come as no surprise. There is a body of economic theory, dating back to the 1950s, that warns us of the perils of partial deregulation. It goes by a somewhat depressing name, "Theory of the Second Best." The implication of the theory in this case is that deregulating part but not all of a market might not make things better for consumers.

Should we move closer to full deregulation by putting takeoff and landing rights out for bid? Of course. Public treasuries would benefit mightily. (A few years back the federal government got *billions* of dollars of winning bids in an auction for a part of the wireless communication spectrum that did not yet even exist as a business!) The major airlines that today squeeze and abuse customers at every turn would have to compete on a more level playing field with newcomers who believe they can do better and are willing to back up that belief with capital. And if local airport authorities have reason to think they might share in any auction proceeds, they might at last have adequate incentive to end the de facto moratorium on construction of new runways and airports, the archetypal NIMBY problem that threatens to create a real capacity crisis in the system.

But don't count on this happening any time soon. Expect the big carriers to fight to the death against any proposal to end the big giveaway.

To be fair to the U.S. commercial airline industry, it is very good at one thing: safety. Commercial jet travel is by far the safest way to travel in the United States. In some years there are no fatal accidents at all involving commercial jet airliners. And we should all appreciate that record.

So it turns out that markets do work—but only within the constraints that attend their creation. Since new entrants aren't a real threat, the problem isn't that airlines have an incentive to antagonize their customers but rather that the airlines *lack* an incentive *not* to antagonize their customers. Bad service or not, those big carriers will still be here tomorrow, and next week, and next year. And so will you—perhaps on the same plane, still waiting to take off. ♦

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Yes, There Is a New Economy

Thanks to once-in-a lifetime productivity gains, Bush's plans are easily affordable.

By David Brooks

This year's tax and budget debate really comes down to one essential question: Is the money going to be there? The Congressional Budget Office projects surpluses of about $5.6 trillion over the next 10 years. The Republicans insist that those projections are conservative, so the government can afford to return $1.6 trillion to the taxpayers and still have money left over for Social Security, Medicare, and an $800 billion contingency fund. The Democrats cry that projections are notoriously inaccurate, that the tax cuts will blow a hole in the budget, and that the Bush administration's risky scheme (which sailed through the House last week) would cast us back into the days of piling debt.

The funny thing is that all of two months ago, the leading Democratic economists, in Bill Clinton's Council of Economic Advisers, were rapturous about the state of the economy and its prospects over the next several years. "Over the last eight years the American economy has transformed itself so radically that many believe we have created a New Economy," the Clinton team enthused, describing an economy filled with "virtuous circles" and positive "feedback loops."

And the Clinton economists were not just playing politics. For the truth is that over the past several months, while Wall Street and the general public have grown jittery over the state of things, leading lights in the economic profession have grown increasingly enthusiastic about the underlying strength of the U.S. economy. The key to their enthusiasm is productivity.

Productivity, as economists since Adam Smith have reminded us, is the core measure of economic health. Since 1995, the U.S. economy has been enjoying a productivity surge. From the early 1970s through the mid 1990s, U.S. productivity grew at a paltry 1.5 percent per year. But since 1995, productivity has grown at about a 3 percent clip. That's a huge change. At this rate, the U.S. economy would double in 25 years, instead of 67 years.

It's the sort of surge that makes economists rhapsodic. For example, in a recent speech, Jerry L. Jordan, the president and chief executive officer of the Federal Reserve Bank of Cleveland, declared, "When we reflect back on this period of history, I am convinced we will say it was an economic revolution on an order of magnitude rarely seen in a lifetime. And it is transforming the way all of us—business, labor, and government—must act." This is essentially the same message—suitably muddied and Greenspanized—that Fed chairman Alan Greenspan took to Congress in his testimony a few weeks ago. In fact, Greenspan was one of the first economists to sense the productivity surge.

The economists who are singing about the productivity surge are not *Wired* magazine techno-enthusiasts. Indeed, on the whole, economists have been far more skeptical about the current technological revolution than the public at large. That's because while the computer was invented over half a century ago, and everybody sees that an important technological revolution is underway, economists couldn't find evidence of that revolution in the important economic measures. Nobel Prize winner Robert Solow famously observed that when he looked around he could see computers everywhere, except in the productivity figures.

It now appears that, as happened at the beginning of past economic revolutions, it simply took people a while to figure out how to use the new technology effectively. If you are a toolmaker, it's nice to have a new word processor for the secretarial staff, but it's hard to figure out how to use software to improve toolmaking. At first, it was only the computer industry itself that figured out how to use computers to manufacture more efficiently, and productivity gains were mostly confined to the computer and

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related businesses, some 12 percent of the economy.

Now, finally, there are signs, observed by many economists, that other industries are using the new technologies to transform their manufacturing processes. On January 12, Clinton's Council of Economic Advisers issued a study showing that more than half of America's productivity gains are being generated outside the computer industry. The council cited a "growing body" of evidence suggesting that the productivity improvements are widespread. On February 15, the *Wall Street Journal* ran a fascinating front page feature on a series of tool manufacturers who have developed applications to revolutionize their workplaces. A company called Huffman Corp. uses three-dimensional imaging technology to build metal-cutting machines that are five times more efficient than the ones they replaced. These machines accelerate a jet of water to three times the speed of sound, to cut titanium parts for 747s and make surgical tools to specifications with less than a micron deviation (that's 1/75th the width of a human hair). Such innovations have contributed to the robust growth of U.S. manufacturing.

Now, it must be said that not all economists are convinced that the productivity gains will continue at this rate for a long time. Some wonder what will happen during the current downturn. Some theorize that the productivity gains may flow more from improvements in business organization than from improvements in technology.

Furthermore, almost all economists seem quick to point out that even if the current productivity numbers hold up, this technological revolution is not on the same scale as the revolutions caused by the steam engine in the nineteenth century or electricity early in the twentieth. Those revolutions transformed everything. Steam power was a huge improvement over horse power, and an electric light is a huge improvement over a candle or an oil lamp.

Nevertheless, even if today's productivity improvements are only on the scale of, say, the improvements our economy saw after World War II, we may be in for a long and sunny ride. There is a rough historical pattern here. A new technology is invented. It takes a long time before people figure out how to use it. The electric motor was invented in the 1880s, but it didn't transform factories until the 1920s, economist Paul David has noted. Once the technology is fully deployed, however, there are decades of positive results. Daniel Sichel of the Federal Reserve points to previous technology-driven surges that lasted 10 and 25 years. That suggests we may still be near the beginning of this particular period of bounty.

If we are, an occasional period of slower growth or even a recession may occur, but the U.S. economy is fundamen-

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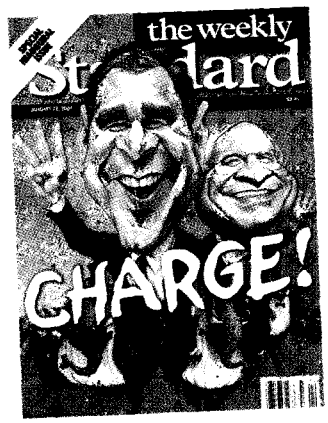

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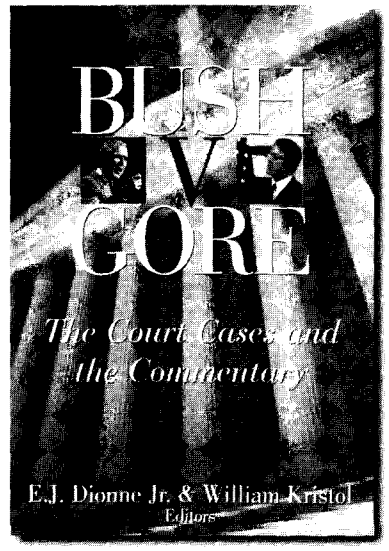
tally strong, and both laymen and legislators have good reasons to believe it will remain strong for many years. Industrial productivity is surging. Americans are not only the hardest working people on earth (the average American works about 10 weeks a year more than the average European) but also the most productive workers—by far. If you measure value added per hour worked, Americans do about 20 percent better than Germans and the French, and 40 percent better than the Japanese.

In other words, if you wade through the economic literature, it's hard not to agree with the Cleveland Fed's Jerry Jordan: We are living at a once-in-a-generation moment of economic opportunity. As productivity grows, the economy will grow. As the economy grows, revenues will grow, maybe beyond what the CBO projects. The real question about the Bush tax cuts, then, is not, Can we afford them? The real question is, Why are they so small?

They are not small in a dollar sense. They are intellectually small. Now, maybe for the last time in our lives, we have the financial opportunity to enact fundamental changes. We will have enough revenue to allow us to reform our entire tax system. We can simplify it, cut it, and turn it into a system Americans will at least regard as fair. We have the chance to reform our entitlement system, and much else. Bill Clinton squandered the first three years of this opportunity. The Bush administration promises fundamental Social Security reform. But the Bush tax plan is a meager response to events. It was designed two years ago, and, stubbornly, the Bush team has refused to change it, even as the new productivity trends have become obvious.

So to the immediate question on people's minds in Washington—Can we afford a $1.6 trillion dollar cut?—the answer is plainly yes. The Bush plan is better than nothing. But it is not the ambitious rethinking the times demand. ♦

No One Said It Would Be Pretty



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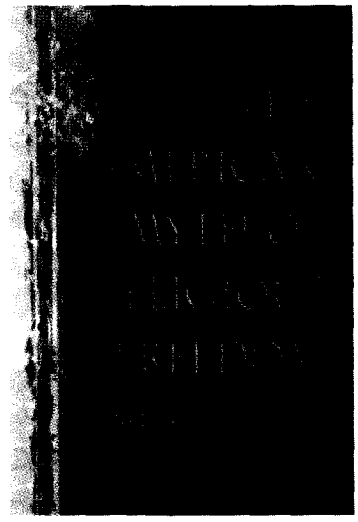

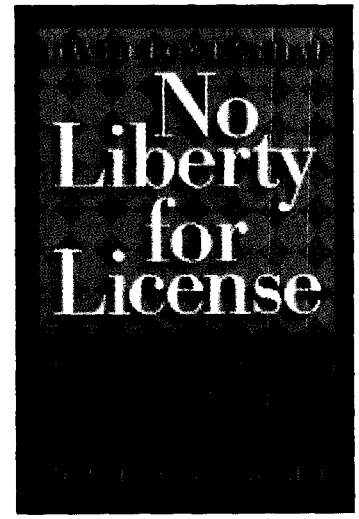

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Emanuel Noterman, *Monkey's Concert Party* (1877). Bass Museum of Art / CORBIS.

Evolutionary Psychology and Its True Believers

By Andrew Ferguson

It's become commonplace to point out that of modernity's three most influential thinkers—Marx, Freud, and Darwin—only Darwin enters the twenty-first century with his reputation intact. But Darwin has troubles of his own. The troubles come not only from the right, where creationists and other religiously minded conservatives nip around the ankles of evolutionary theory, but also from the left, where social scientists, and even some real scientists, worry about the ends to which Darwin's great idea might be put.

It's a particular kind of Darwinism that has the left-wingers worried. Twenty-five years ago it ran under the name sociobiology; since then it has been slightly modified and rechristened "evolutionary psychology." Under either name it is an ambitious enterprise that claims to explain the patterns of human behavior—everything from child-rearing practices to religion to shopping habits—as a consequence of Darwinian natural selection. Sociobiology (or evolutionary psychology, or neo-Darwinism; we can use the terms interchangeably) has become a favorite of such conservative polemicists as Charles Murray, James Q. Wilson, Tom Wolfe, and Francis Fukuyama. At the same time, polemicists on the left compare it to Nazism (polemicists on the left compare lots of things to Nazism, of course, but now they seem to mean it).

Right-wingers suddenly embracing Darwin, while left-wingers try furiously to contain him—we've come a long way from the Scopes monkey trial. This makes for one of the more unexpected disputes in recent intellectual history, though it's hard to keep the sides straight without a program. Luckily, a spate of recent books helps the layman put the bickering in perspective. And as good a place as any to begin is with *Alas, Poor Darwin: Arguments Against Evolutionary Psychology*, a collection of essays edited by Hilary and Steven Rose and published late last year.

Hilary is a sociologist, Steven a biologist, but both, more pertinently, are grizzled veterans of the 1960s New Left. So are their contributors, among them the postmodern theorist and architect Charles Jencks and the Harvard paleontologist Stephen Jay Gould. *Alas, Poor Darwin* is merely the latest in a series of essay collections, going back to the late 1970s, that Steven Rose has edited for the purpose of placing sociobiology beyond the bounds of polite society. One of his earlier collections, *Not in Our Genes* (1984), drew such a blistering review from the sociobiologist Richard Dawkins that Rose threatened to sue for libel. These scientists don't fool around.

Rose sums up the sociobiological view neatly: "It claims to explain all aspects of human behavior, and then culture and society, on the basis of universal features of human nature that found their final evolutionary form during the infancy of our species some 100,000-600,000 years ago." Roaming the African savanna for thousands of centuries, *homo sapiens* adapted to environmental challenges through the process of natural selection, developing the genetic tendencies that shape our

Andrew Ferguson is a senior editor at The Weekly Standard.

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behavior today. The application of this view knows no limit. As Rose points out, sociobiology has got into our "cultural drinking water." It's not at all unusual to switch on, say, the *Today* show—if you're the sort of person who switches on the *Today* show—and see one or another pop psychologist tracing, say, the American male's love for golf to the evolutionary development of the species: The golf course's rolling landscape, dotted with water and clumps of trees, appeals to our genetic memories of the long-ago savanna.

"It is the argument of the authors of this book," writes Rose in his introduction, "that the claims of [sociobiology] in the fields of biology, psychology, anthropology, sociology, cultural studies, and philosophy are for the most part not merely mistaken, but culturally pernicious"—not just bad science but bad politics, too: *right-wing* politics. Roughly half the essays in the book are explicitly political, though the political objections bubble unmistakably through the others.

From the progressives' point of view, the objections are perfectly understandable. Sociobiology aims to identify human nature: genetic, irreversible, "hard-wired" in the current cliché. Essential to the progressive world view, however, is the belief that such an intractable human nature doesn't exist. Culture, not stubborn nature, determines behavior; change the culture, and human behavior will change along with it. Sociobiology, in other words, strikes at the heart of every large-scale progressive project to remake society.

But it is not merely the suggestion of a universal human nature that unsettles the leftist critics; it is the *nature* of that nature they really don't like. The seed of human nature is the "selfish gene." A gene's sole purpose is to survive, by whatever means necessary, and so to reproduce itself into further generations; it thus programs the organism to favor some kinds of behavior and shrink from others. As it happens, one behavior that the selfish gene favors is altruism, since an organism's willingness to help its pals can often serve to perpetuate its genes. But still, much to the chagrin of romantics, the archetypal human sociobiology posits isn't so much a sensitive, bearded NPR talkshow host as a loud, tank-topped announcer for WWF *Smackdown!* You can't blame liberals for being upset.

This unhappy truth has political consequences, which sociobiology's most enthusiastic supporters are delighted to specify. Programmed for self-interest, human beings will respond more efficiently to the incentives of the market than to schemes of economic redistribution. Evolution, say sociobiologists, has made women less aggressive and less inclined to sexual promiscuity, men more aggressive and more prone to philandering; the popularizer Robert Wright has even asserted that evolutionary psychology disproves the assumptions of feminism. Similarly, sociobiologists stress the durability of family ties, and many trace the traditional family structure back to genetic impulses. Steven Pinker, an evolutionary psychologist from MIT, says that phonics, as a method of language instruction, conforms much more closely to our mental architecture than the "whole language" approach favored by progressive educators. Edward O. Wilson, a founder of sociobiology (and the "Darwin II," according to Tom Wolfe), has even argued that a taste for traditional artistic forms—classical architecture, for example—is planted in our genes. Maybe it's just coincidence, but there are few things on the right-wing wish list that don't seem to conform with the human nature that sociobiologists claim to have discovered. Up next: Sociobiology proves Alger Hiss was guilty.

Evolution and Human Behavior:
Darwinian Perspectives on Human Behavior
by John Cartwright
MIT Press, 376 pp., $60

The Undiscovered Mind
How the Human Brain Defies Replication, Medication, and Explanation
by John Horgan
Free Press, 288 pp., $25

Alas, Poor Darwin
Arguments Against Evolutionary Psychology
edited by Hilary and Steven Rose
Harmony, 352 pp., $25

Genome
The Autobiography of a Species
by Matt Ridley
HarperCollins, 344 pp., $26

Defenders of the Truth
The Battle for Science in the Sociobiology Debate and Beyond
by Ullica Segerstrale
Oxford University Press, 464 pp., $30

A Darwinian Left
Politics, Evolution, and Cooperation
by Peter Singer
MIT Press, 370 pp., $9.95

As several essayists note in *Alas, Poor Darwin*, the ascendancy of evolutionary psychology in the late 1970s and 1980s coincided with the rise of Reaganism and Thatcherism in our politics. "The political agenda," writes Rose, "is transparently part of a right-wing libertarian attack on collectivity, above all the welfare state."

Some of the essayists have another beef: Far worse than playing politics, sociobiologists are *practicing religion*. Perhaps the most amusing feature of the debates between sociobiologists and their critics is the ferocity with which each side accuses the other of harboring religious sentiments, as though nothing could be more contemptible. When they get really mad the combatants hurl imprecations like "true believer" and "choirmaster." Stephen Jay Gould calls sociobiologists "Darwinian fundamentalists." His opposite number, Richard Dawkins, says that critics like Gould are "demonological theologians." Dorothy Nelkin, a sociologist from New York University, is on Gould's side. She devotes her essay in *Alas, Poor Darwin* to arguing that sociobiology is merely religion in disguise and, for that reason (though she doesn't have to say so explicitly), illegitimate as either science or philosophy.

Given that every prominent sociobiologist, from Pinker to Dawkins to Wilson, has ardently declared his atheism, you might think Nelkin has a difficult case to make. Dawkins, who is the most outspoken in this regard, calls religious belief a "virus of the mind"

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Abraham Teniers (1629-1670), *Monkeys in a World Turned Upside Down*. Ali Meyer / CORBIS.

and says that anyone who believes that the existence of the universe implies the existence of a creator is by definition "scientifically illiterate." Wilson is emphatic that religion and science are incompatible, and that the practical achievements of science make religion intellectually untenable. Sociobiology routinely dismisses religious belief as a delusion that long ago may have had some "adaptive function," helping humans to survive and flourish, but which is no longer necessary.

In what sense, then, is evolutionary psychology a religion? "Scientists who call themselves evolutionary psychologists," Nelkin writes, "are addressing questions about meaning, about why things happen, about the ultimate ground of nature. . . . More than a scientific theory, evolutionary psychology is a quasi-religious narrative, providing a simple and compelling answer to complex and enduring questions concerning the case of good and evil, the basis of moral responsibility and age-old questions about the nature of human nature."

Anyone familiar with evolutionary psychology will see her point. One of the first things a layman notices upon wading into the literature is the grandiosity of its claims. The titles of the books, by both popularizers and scientists, are spectacular. Wilson himself has written *On Human Nature* and *Consilience: The Unity of Knowledge*; Robert Wright, who used to be a journalist before he moved on to much, much larger things, writes books with such subtitles as *Why We Are the Way We Are* and *The Logic of Human Destiny*. Other sociobiology titles: *The Web of Life*, *Evolution and the Meaning of Life*, *The Origins of Virtue*, and *The Biology of Morality*. The hyperbole is more than a publisher's marketing ploy. This is really the way sociobiologists think.

So of course the immodesty extends beyond the titles. "If the theory of natural selection is correct," Wright wrote, "then essentially everything about the human mind should be intelligible in these [Darwinian] terms. . . . Slowly but unmistakably, a new world view is emerging," he went on. "Once truly grasped . . . it can entirely alter one's perception of social reality." Laura Betzig, editor of a collection of sociobiology essays called, typically enough, *Human Nature*, introduces the book like so: "It's happened. We have finally figured out where we come from, why we're here, and who we are."

Sociobiology is a theory of simply everything. Darwin's original version of natural selection was already comprehensive, claiming to account for almost all the physical attributes of the planet's animal and vegetable life. But evolutionary psychologists extend Darwin's principle to bear on the mental life and cultural practices of human beings. Like most religions, evolutionary psychology tells a story—a myth, in the sociological sense of the word.

The story begins during the late Pleistocene era back (of course) in the African savanna, or the "Environment of Evolutionary Adaptation," as the sociobiologists call it. The EEA is a Garden of Eden for materialists—unimaginably remote, cloaked in mystery, a place of origin where our earliest ancestors, in tribes of hunter-gatherers,

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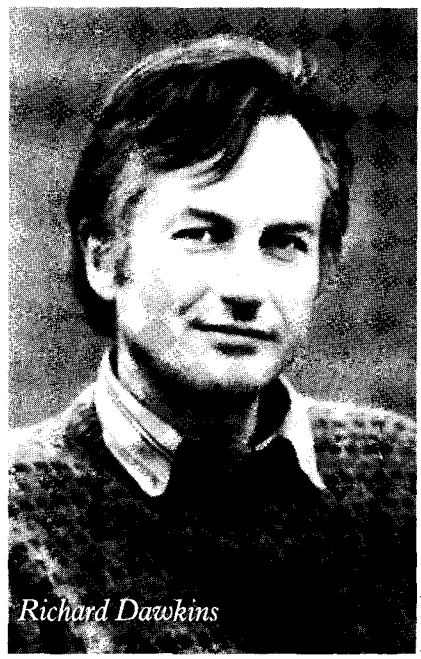
did the things that have made us what we are.

By the late Pleistocene, natural selection had already conditioned the human body into the organism we know today—giving it opposable thumbs, upright posture, an enlarged cerebral cortex. But in the EEA the same evolutionary pressures worked on human behavior as well. The organisms that flourished were those whose genes disposed them to behave in ways best adapted to the environment. Consider, for instance, differences in sexual roles —sex being a favorite point of dispute for sociobiologists and their critics.

Life was rough out there on the savanna. Resources were scarce. Given their obvious physiological differences, human females and males developed different strategies for perpetuating their genes. Under the best conditions, women can reproduce only once a year. But men can reproduce without limit. A female organism who was more sexually selective—who chose her mate for his ability to protect her and her offspring, for example, rather than for his physical attractiveness—enhanced her chances of passing along her genes. As a consequence, women even today are more likely to select a mate for his ability to bring resources to the relationship, and more likely thereafter to savor the nurturing virtues of security and stability. "Coyness," in the jargon of sociobiology, is the defining characteristic of female sexual behavior.

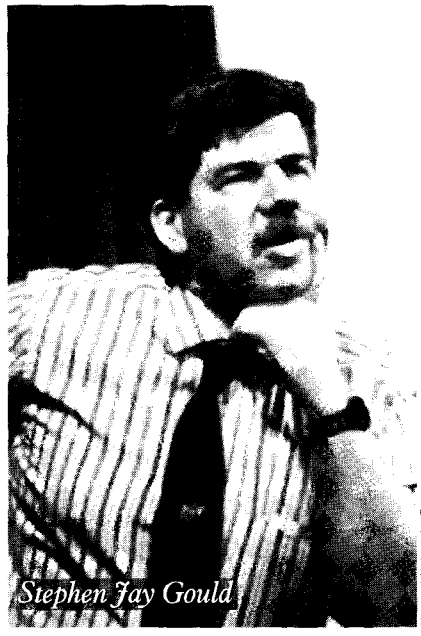
To spread his genes, however, the male organism requires only a woman young and healthy enough to bear children. A man is thus likely to be much less discriminating sexually. On average, under the same pressures of natural selection, he will also be more competitive than a woman, and more inclined to take risks, as were those hairy hunter-gatherers back in the savanna. He will be more ambitious and more obsessed with status, since gaining status will make him more attractive, which in turn increases his sexual opportunities and his chances for spreading his genes.

For the sociobiologist, the ramifications of this view of sexual roles range


Richard Dawkins

Lisa Lloyd

Nothing will budge sociobiologists from their scientific discovery that men (on average) would rather have sex with young and pretty women.


Stephen Jay Gould

Harvard University Press

from the relatively trivial to the cultural and the political. But the important point is to reduce all of human behavior to evolutionary (and hence genetic) process. This is the sociobiological imperative. For example, an entire field of "Darwinian aesthetics" has sprouted from evolutionary psychology to explain why men like the types of women they do. It turns out that what we consider beautiful in the opposite sex is merely a measure of reproductive fitness. In his well-written textbook *Evolution and Human Behavior*, published last year, John Cartwright summarizes the latest findings.

Men prefer women with childlike features, Cartwright notes, because a small chin and nose "indicate a low level of testosterone" and thus increased fecundity. Both sexes prefer symmetry in facial features because "symmetry is an indicator of physiological precision, protein heterozygosity and hence resistance to or freedom from pathogens." The evolutionary psychologist Devendra Singh, meanwhile, discovered that waist to hip ratio (now known as "WHR" in the acronym-happy literature) is an important indicator of childbearing ability among women. The optimum WHR is 0.7. And that, says Singh, is the waist-to-hip ratio that men around the world, from all cultures, in all regions, prefer in their women. Coincidence? Absolutely not, say the sociobiologists. Nothing will budge them from their scientific discovery that men (on average) would rather have sex with young and pretty women than old and ugly ones.

But sociobiology delivers news even more startling than this. Darwinian theorizing about sex has led Robert Wright and many other sociobiologists to conclude, for example, that "women will never break through the glass ceiling because, biologically, they have less of men's innate ambition and willingness to take the risks necessary for success." This paraphrase comes from an essay in *Alas, Poor Darwin* by Anne Fausto-Sterling, a geneticist and professor of women's studies, who surveys the sociobiological literature and is not pleased.

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She quotes one prominent sociobiologist's overview of Darwinian sexual roles—that women in the EEA solved the problem of food scarcity during "harsh winters" by "preferring mates who show the ability to accrue resources and to share them." Leaving aside the question of how those harsh winters reached the African savanna, she asks "the hypothesis-builders of evolutionary psychology at least to postulate at what point in human or hominid history they imagine contemporary reproductive behaviors to have first appeared." And she has a point. The sociobiologists are unscientifically vague on these and other crucial questions—so vague, indeed, that their "hypotheses" about the origin of sexual roles can't really be tested, as scientific theories are supposed to be. "Without this greater specification," she continues, "evaluating competing hypotheses becomes very difficult. . . . Why isn't it just as likely that the females who passed on more genes to the next generation were the ones who hedged their bets and slept with more than one male?"

To answer Fausto-Sterling's objection—that natural selection might just as easily have favored promiscuous women over coy women—Cartwright and other sociobiologists can adduce reams of contemporary evidence that show, anecdotally and statistically, that women are indeed, on average, less sexually promiscuous than men. Surely this demonstrates that our ancestors, from whom we got our genetic tendencies, behaved likewise, with women favoring coyness as a strategy for survival in the Pleistocene.

But this (rather obviously) begs the question. Are they arguing *forward* from the conditions of EEA (the scarcity of resources and women's limited ability to produce offspring) to predict that women will be coy nowadays? Or are they arguing *backward* from modern women's coyness to the conditions of the EEA?

Many of sociobiology's speculations rest on similar question-begging and circularity. In his textbook, John Cartwright includes dozens of examples, with varying degrees of plausibility. He wonders, for example, why human beings crave salty and fatty foods. Surely this is "non-adaptive," unhealthy behavior. By sociobiology's own logic, natural selection should have "selected out" such cravings; that is, organisms who ate too much fat and salt should have perished earlier and so passed on fewer of their genes. But now here we are, millennia after the close of the Pleistocene, neck-deep in chili-cheese fries. What happened? Like a good sociobiologist, Cartwright takes a leap into the speculative blue yonder. "Our taste buds," he says, "were probably a fine piece of engineering for the Old Stone Age when [salty and fatty] foods were in short supply and when to receive a lot of pleasure from their taste was a useful way to motivate us to search out more."

Charles Darwin

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Aside from being untestable, Cartwright's theorizing (which he has borrowed from other sociobiologists) tells us only that we like food that tastes good to us. He still hasn't explained why natural selection has programmed us to prefer unhealthy foods high in fat over healthier foods that are, say, high in protein or rich in complex carbohydrates. One possibility is that not all human behaviors are (or were once) adaptive in Darwinian terms—that our inconvenient food preferences are explainable by other, non-Darwinian means. Maybe our preference for fatty foods didn't originate in the Stone Age, after all. Maybe it has nothing to do with natural selection.

But this is the kind of heresy that cannot be allowed. Sociobiology is a closed system. As the science writer Edward Skidelsky has pointed out, evolutionary psychologists can't seem to decide whether theirs is an inductive or deductive science—whether, that is, they are shaping a theory about the past to account for a contemporary fact, or whether they're asserting that what we know of the past will reveal something about contemporary behavior. In practice, sociobiology moves in both directions, forward or back, depending on what's required to sustain the reductionist premise: Natural selection must be shown to be the root cause (and often the proximate cause) of whatever tendencies human behavior exhibits.

As a theory, it is one size fits all. In a famous example, Steven Pinker accounted for mothers who kill their newborns by pointing to the pressures of natural selection and reproductive fitness that young mothers suffered back in the EEA. Of course, the same pressures, the same overriding criterion of reproductive fitness, are used to explain why mothers will die for their children. Kill them, die for them: Sociobiology explains it with the same set of theories.

And even then it might not be explaining what it thinks it's explaining. The assumption that every "universal" disposition is a product of natural selection and thus genetic, rather than a consequence of cultural influence or shared experience or accumulated wisdom, creates as many problems as it solves. Return once more to female sexual coyness: Even if one grants that it is found across cultures,

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can we be certain that the trait is instinctual?

"It seems just as plausible—if not more so—that these preferences derive from rational, conscious deliberation," writes the science writer John Horgan, in a thoughtful dissection of evolutionary psychology included in his recent book, *The Undiscovered Mind*. "By puberty, most females recognize that even if they employ contraception, they are at risk of becoming pregnant during a sexual encounter; it is thus quite rational for females to be more wary of casual sex than males are. Similarly, the female preference for males with resources might simply reflect females' rational recognition of their relatively precarious economic status and prospects."

Horgan is guessing, of course. But so are the sociobiologists. Evolutionary psychology generates this kind of unbridled speculation—often it is nothing *but* speculation—because its standards of evidence are unusually low. Conventional Darwinians, studying the physical development of organisms, have a fossil record (however imperfect) to pore over and argue about. Sociobiologists set themselves a trickier task: They hope to study the history of our behavioral and mental life. And so, in place of the fossil record, they conjure up the EEA. A plausible reconstruction of the EEA is essential to their discipline, since it was there that our genetic natures were formed. To recreate the lives led by the earliest humans, sociobiologists bring in contemporary data about the behavior of primates and ethnographic studies of the few Stone Age tribes that survive today. Stephen Jay Gould, one of the contributors to *Alas, Poor Darwin*, remarks on the flimsiness of this approach: "How can we possibly know in detail what small bands of hunter-gatherers did in Africa two million years ago? . . . The chief strategy proposed by evolutionary psychologists for identifying adaptation is untestable, and therefore unscientific."

Sociobiologists are aware of this criticism, of course, and some have even tried to take it into account. As Cartwright points out, the EEA is now most often considered "a statistical composite of the adaptation-relevant properties of the ancestral environments encountered by members of ancestral populations." The EEA has thus been evolving, too—from a real place, the African savanna, to a "statistical composite." This is probably not progress, scientifically.

Nor does the "ethnographic record" really help; it is much thinner, and often much less suggestive, than sociobiologists pretend. Pinker's infanticide speculation, published in the *New York Times* in 1997, offers a good example of how sociobiologists use ethnographic studies. Pinker relied on the work of sociobiology's favorite ethnographers, Martin Daly and Margo Wilson. "If we wish to understand human characteristics," Daly and Wilson had written, "we should study the hunting and gathering lifestyle in which and for which those characteristics have been shaped by natural selection." In their book *Homicide*, to which sociobiologists return again and again, they claimed to have discovered, through a dazzling extrapolation, how our prehistoric ancestors raised infants a million years ago.

How did they discover this? By means of a study, conducted and published in the 1980s, of the San bushmen in the Kalahari desert. Europeans first mingled with the !Kung San several hundred years ago, but certain groups within the larger native population have retained traditional cultural practices that might date back to the Stone Age. Then again, they might not. No matter. The study showed that during the 1980s, !Kung San women on average had babies several years apart, nursed them for as many as four years, and averaged five births over their reproductive lives.

"The general features of a !Kung San woman's reproductive career," Wilson and Daly asserted, "are indeed representative of hunter-gatherers and of the life history that characterized *Homo* for thousands of millennia." There is no way to know whether or not this statement is true; it is just surmise. But Pinker then passed it on to his popular

audience in the *New York Times*: "Until very recently in human evolutionary history," Pinker announced confidently, "mothers nursed their children for two to four years."

No, no, no: The only thing that can be confidently said here is that in the 1980s, a small number of primitive women in the African desert (not even the savanna!) nursed their children for four years. We have learned nothing with any certainty about "human evolutionary history." But this is how sociobiology works: A conjecture becomes an assumption, an assumption morphs into fact, and the fact is then used to prove the conjecture. Or you can characterize it this way, as Barbara Herrnstein Smith does in *Alas, Poor Darwin*: The sociobiological method "is a process of self-enclosed speculation directed by a set of mutually determining, mutually validating assumptions, descriptions, and hypotheses . . . a virtual prescription for self-affirming circularity."

There's nothing particularly startling about bad science. More often than not, though, good science intercepts it before the media conveyor belt

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Abraham Teniers (1629-1670), *Monkeys Dressed as Men and Cats*. Archivo Iconografico, S.A. CORBIS.

can carry it into the popular imagination. This hasn't happened with sociobiology. It has gone (to switch to Steven Rose's metaphor) straight into the drinking water, and conservative publicists in particular have drunk deep. Dorothy Nelkin is right that sociobiology is a religion, if one means by this a worldview that must invoke faith at those points where reason and evidence fail it. But what the left-wing critics understand that the right-wing enthusiasts fail to grasp is that sociobiology is a particularly pernicious religion. It is a theory of everything, aiming to explain all of human life—but only in the most cramped and desiccated terms.

Evolutionary psychologists like to reduce human love to a genetic survival strategy: genes calling out to other genes in a bid for self-perpetuation. But most other nonmaterial aspects of human experience elude them. For example, sociobiology has come up with no explanation, plausible within its own system, for music ("auditory cheesecake," Pinker lamely calls it). It cannot account for acts of kindness performed between strangers. It cannot account for Mother Teresa. It cannot account for literature, poetry, the arts generally, or, for that matter, religion itself. It cannot account, in other words, for the richness of life.

Among its desiccations, one of the most ominous is its account of morality. This would seem of particular interest to cultural conservatives, who claim to have a special interest in instilling virtue, maintaining civilization, securing the sanctity of life—that sort of thing. But for sociobiologists, a system of moral values is just another genetic artifact, shaped by natural selection, a survival strategy cleverly disguised. "Ethics as we understand it is an illusion fobbed off on us by our genes to get us to cooperate," wrote the Darwin II, Edward O. Wilson. As it turns out, the workaday experience of human beings is a tangle of illusions. Darwinian theory, especially as applied in sociobiology, has been hailed by its enthusiasts as the "universal acid" that erodes all such mental errors.

It is crucial to the scheme of sociobiology that human organisms are utterly mistaken in their most fundamental understandings of themselves. We're chumps, duped by natural selection. As a branch of materialism, sociobiology teaches, of course, that life is random and pointless. Yet a belief in life's purpose is often "adaptive"—a way of preserving the organism and spreading its genes. And so we succumb. A belief that moral precepts are rooted in something beyond mere self-interest can be adaptive, too. But the sociobiologist knows that this view is mistaken. Ethical precepts, as Wilson puts it, are "entirely material products of the mind," constructed as the organism tries to preserve and reproduce itself. The organism's belief in its own free will is likewise fallacious: a trick that the organism plays on itself.

Perhaps the organism's most consequential mistake is the intuition that it possesses some kind of unitary, irreducible identity—a self. No such identity can survive the universal acid. The self too is a trick the organism plays on itself to survive. A belief in a "self" is adaptive; an organism that conceives of itself as an independent entity, an enduring identity, will increase its chances of survival. But the belief is an illusion. Under the pitiless investigation of the sociobiologist, the self turns out to be a conflation of material processes, all of which are themselves the product of natural selection.

How then—in the absence of a self, without objective categories of right and wrong and the ability to choose freely among them—how is moral reasoning to proceed? The sociobiologists answer with near unanimity: We are to pretend that what science tells us is true, is false. Ethical theory, properly understood, is a game of *as if*: We proceed *as if* we were free, irreducible, unitary selves making choices for which we deserve to be held responsible, even though the sociobiologists know those selves and those choices to be nonexistent.

As the journalist Matt Ridley puts it in *Genome* (subtitled, with typical sociobiological modesty, *The Autobiography of a Species*), they are "necessary fictions." "Full responsibility for one's actions," Ridley writes, "is a necessary fiction without which the law would

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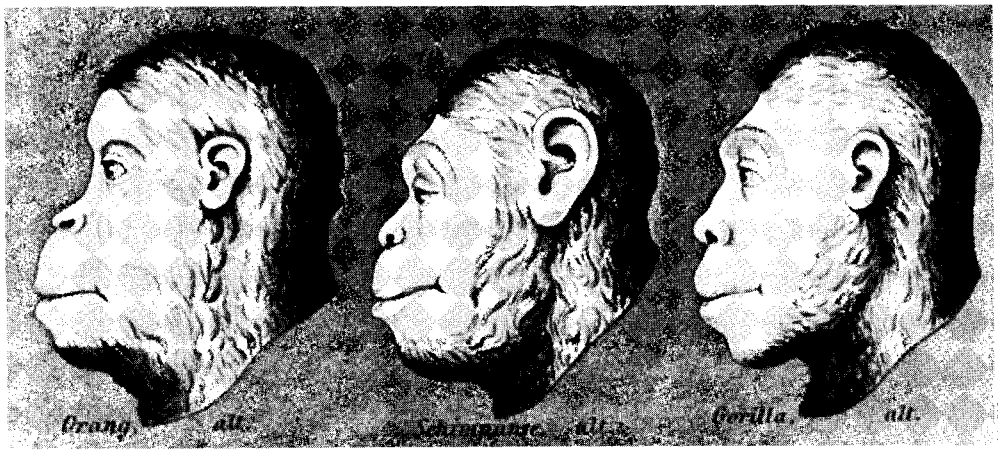
flounder, but it's a fiction all the same." Just don't tell anybody! And sociobiology itself shows us why maintaining these fictions isn't so difficult. Robert Trivers, R.D. Alexander, and many other well-known sociobiologists claim to have proved that deceiving ourselves on precisely these matters is an evolved adaptation. We are programmed to think we're not programmed. We are designed to be chumps.

Of course sociobiologists, especially those with a popularizing bent, rouse themselves occasionally to sing hymns to the beauty and complexity and elegance of life as revealed by their discoveries, rhapsodizing about how ennobling it is to live in a random, pointless universe, where a person's most basic beliefs about himself are misinterpretations of purely material activities. But it's fair to say that the sociobiological worldview strikes ordinary people as pretty creepy. Which makes it all the queerer that so many conservatives have rushed to embrace this latest manifestation of Darwinism.

"Conservatives need Charles Darwin," wrote Larry Arnhart, a professor of political science at Northern Illinois University, in a recent issue of the journal *First Things*. "Adopting a Darwinian view of human nature and ethics would have both theoretical and practical benefits for conservatism." First, it would "provide a solid basis for conservative political thought." Conservatives can at last find support for the traditional idea of natural moral law in the very latest findings of science rather than in the dreamy wish-fulfillment of metaphysics. Second, says Arnhart, a "Darwinian conservatism" would sustain conservative ideas in public policy. He concedes that Darwinism doesn't "prescribe specific policies." Nevertheless, he offers some ideas of how Darwinian insights might be applied in the areas of crime control ("channel the male propensities [of young, unmarried men] into socially acceptable behavior"), family life ("regulate sexual mating, conjugal bonding, and parental attachment"), and military policy ("natural differences . . . will always impede any attempt to eliminate sexual differences in military service").

But do any of these policy ideas, vague as they are, really require bringing out the heavy artillery of either natural law or Darwinian science? Surely they can be judged and decided on empirical grounds, among others. Even if you accept uncritically the claims of sociobiology, as its conservative champions always do, the support derived for particular policies is much wobblier than they might hope. Does sociobiology suggest that many traditional social arrangements are rooted in evolution? Marvelous—how nice to learn that they are not, after all, the consequence of the powerful classes exploiting the weak. But what does this sociobiological insight (assuming it is an insight) tell us about the merit, the justice of traditional social arrangements? Nothing, alas. The argument for traditional marriage, social hierarchies, and so on, and the arguments against radical egalitarianism, left-wing feminism, and so on, will have to be made by other means. Which leaves us right back where we started.



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Even some sociobiologists acknowledge the problem. In an interview quoted in Ullica Segerstrale's *Defenders of the Truth*, a very long account of the sociobiology wars, Richard Dawkins goes on at some length about this mistake—an error made, as he notes, by both critics of sociobiology and its most enthusiastic supporters, who "are too stupid to understand the distinction between what one says about the way the world is, scientifically, and the way it ought to be politically."

Here's an example of how difficult it is to keep the sides straight in the sociobiology debates. Dawkins is the scourge of sociobiology's left-wing critics. But he is also a self-described man of the "liberal left." The same goes for Robert Trivers, a founder of sociobiology, and for two of the most prominent neo-Darwinian popularizers—the socialist economist Robert Frank and Peter Singer, the "controversial bioethicist," as the newspapers like to describe him. Together they constitute a left-wing rump of the sociobiology movement. And it seems they understand the ramifications of their creed far better than its enthusiasts on the right.

This is especially true of Singer, whose 1999 monograph *A Darwinian Left: Politics, Evolution, and Cooperation*, offers a fitting note on which to close this survey of sociobiology and its critics. "Can the left swap Marx for Darwin?" Singer catchily asked. His answer is a resounding: You bet. "The left needs a new paradigm," he wrote, in a mirror image of Arnhart's assertion that "conservatives need Charles Darwin." And the new paradigm is sociobiology (though he rejects the term itself, presumably because it is ideologically fraught). "It is time," Singer goes on, "for the Left to take seriously the fact that we are evolved animals, and that we bear the evidence of our inheritance, not only in our anatomy and our DNA, but in our behavior too."

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This fact, says Singer, demands that leftists make a few concessions. They should acknowledge that certain kinds of behavior—sex roles in child-rearing, for example—are cross-cultural and probably arise from a fixed human nature. They should abandon their belief in the perfectibility of man and other utopian schemes. But once these concessions to science are granted, Singer makes clear, the old socialist agenda can advance unimpeded. His Darwinian argument for the redistribution of wealth and the equalization of incomes is too elaborate to be recounted here, but it is no more implausible than the arguments made by right-wing Darwinians for, say, the free market.

What is most interesting is the depth of Singer's devotion to sociobiology, to the "Darwinian paradigm." It is interesting, but not surprising. He believes that the enduring value of sociobiology will be its use in the "debunking or discrediting of politically influential, non-Darwinian beliefs and ideas." Prominent among these is the distinction that has traditionally been made between human beings and animals. "Speciesism" is a word that Peter Singer, like many sociobiologists, takes seriously and employs liberally as an imprecation. "Darwinian thinking," he writes, "tells us that we have been too ready to assume a fundamental difference in kind between human beings and nonhuman animals." With Darwin as our guide to understanding human beings, we are prepared for a "revolution in our attitudes."

Students of Singer will be familiar with this argument, and where it leads. The reason the newspapers nowadays tag Singer as a "controversial bioethicist" is that he is—to put it more plainly—the world's most celebrated advocate of infanticide. "Killing Babies Isn't Always Wrong" was the title of a famous essay he published in the London *Spectator* in 1995. Singer's line of reasoning goes roughly like this: If we leave aside the arbitrary bias of speciesism, we see that moral respect is owed to organisms on the basis of their attributes. We agree that any being that

Edward O. Wilson

AP / Wide World Photos

Nothing in sociobiology requires infanticide or euthanasia, but Peter Singer is the real thing: a True Believer in the new Darwinian faith.

Peter Singer

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can reason, that can recognize others, that possesses some form of self-consciousness is a being worthy of moral respect.

Singer believes, with good reason, that sociobiology validates his new, non-speciesist understanding. That understanding has both philosophical and practical effects. One philosophical consequence is to elevate the moral status of animals, like cats and dogs, who possess some form of self-consciousness and can recognize others over time. Another is to lower the moral status of human beings, like Alzheimer's victims, newborn infants, and the mentally disabled, who may not possess such attributes. He worries about "granting every member of our own species—psychopaths, infants, and the profoundly intellectually disabled included—a moral status superior to that of dogs, pigs, chimpanzees, and dolphins." The practical consequences are just as direct. Singer has no trouble advocating euthanasia for old people with reduced mental capacities. He has no trouble advocating a twenty-eight-day waiting period for parents to assess the mental and biological health of a newborn, before deciding whether to let it live.

Nothing in sociobiology requires an acceptance of infanticide or euthanasia, needless to say, any more than it requires political conservatism or liberalism. But Peter Singer is the real thing: a True Believer in the new Darwinian faith.

And it isn't hard to see why sociobiology is Singer's religion of choice. Subtly and quietly, it removes the barriers that have traditionally stood in the way of "controversial" views like his—barriers put in place by other, older religions. The new Darwinism may tell us nothing about whether women should serve in the military, or whether family-friendly tax credits are a good idea, or how much income should be redistributed to whom and why. But it does try to tell us what a human being is—and isn't. And before too long, after a few more years in the drinking water, its "controversial" views won't seem controversial at all. ♦

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Did you vote in the 2000 presidential election?

Yes	72 percent
No	28 percent

—Princeton Survey Research Associates, for Bloomberg news service, February 27-March 2, 2001 (actual voter turnout was 51 percent)

The Hotline

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34 Princeton Survey Research: The Rest of the Story

Did you vote in the 1960 election?

Yes	92
No	8

Who did you vote for?

Kennedy	81
Nixon	19

What is your annual income?

$0-25,000	-
$25-50,000	-
$50-100,000	23
over $100,000	77

How much of your income do you give to charity?

0-5 percent	-
5-50 percent	22
50-95 percent	39
pretty much all of it	39

How would you describe your relation to the "Woodstock generation"?

attended the festival	41
grandparents attended the festival	43
don't remember	16

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Fixing U.S. Intelligence

Bruce Berkowitz is a research fellow at the Hoover Institution.

Most people don't keep score, but those who do know that the U.S. intelligence community has been slipping—badly.

Think about all the events that have caught the intelligence community by surprise lately: the 1995 nerve gas attack by the Aum Shinrikyo cult on the Tokyo subway system, monetary crises in Mexico, Asia, and Russia, India's nuclear weapons tests in 1998, North Korea's ballistic missile test in 1999, terrorist bombings on U.S. embassies and military personnel in Africa, Saudi Arabia, and Yemen. The list keeps growing.

Throw in the targeting of the Chinese embassy in Belgrade and mistaking a pharmaceutical plant in Sudan for a chemical weapons depot (we bombed both). Add a hopelessly ill-informed covert operation in Iraq, and you begin to get the picture of an organization that continues to produce at least one major failure, snafu, or international incident every year.

Okay, intelligence is a tough business. But it's a business with a bottom line—at a minimum, avoiding out-of-the-blue surprises and major errors. After each of these failures, officials promised to do better. So **why is U.S. intelligence still failing?**

One reason is money. Intelligence budgets fell with defense spending after the cold war and remained essentially flat throughout the Clinton administration—even though the number and variety of threats have been growing. Intelligence organizations do need to work smarter and could stand some shaking up. But you simply cannot cover more targets and support more users with less money.

A bigger problem, though, is bureaucratic culture. While the rest of the information world was moving at Internet speed, U.S. intelligence was moving like a supertanker. Recall how AOL and Microsoft scrambled to keep up with change during the past decade? That's what is required. Unfortunately, **intelligence reform has usually produced more paper and process than action.**

Fixing U.S. intelligence requires organizations agile enough to react to the new threats, flexible enough to adopt the new technologies, and open enough to draw on expertise wherever it may be found.

At least three changes are critical. First, the intelligence community needs to rethink how to protect secrets without walling off analysts from their customers, outside information sources, or, for that matter, each other. Stop centralizing; start networking. Lots of officials were worried about India's nuclear program, and lots of intelligence analysts were following it. Why couldn't they talk to each other?

Second, focus government dollars on high-risk, specialized activities that no one else can perform. The private sector has greater flexibility and capital; let it do the routine stuff. Remember that, in the information age, the definition of "routine stuff" constantly changes. Keep refocusing the intelligence community on its unique niche.

And, third, to attract talent, make intelligence careers attractive again. Government may not be able to compete on salary. But it can cut the bureaucratic nonsense and provide opportunity for initiative and adventure.

We missed the opportunity to fix U.S. intelligence during the last eight years. The next four give us a another chance.

— Bruce Berkowitz

Paid for by the Hoover Institution, Stanford University.

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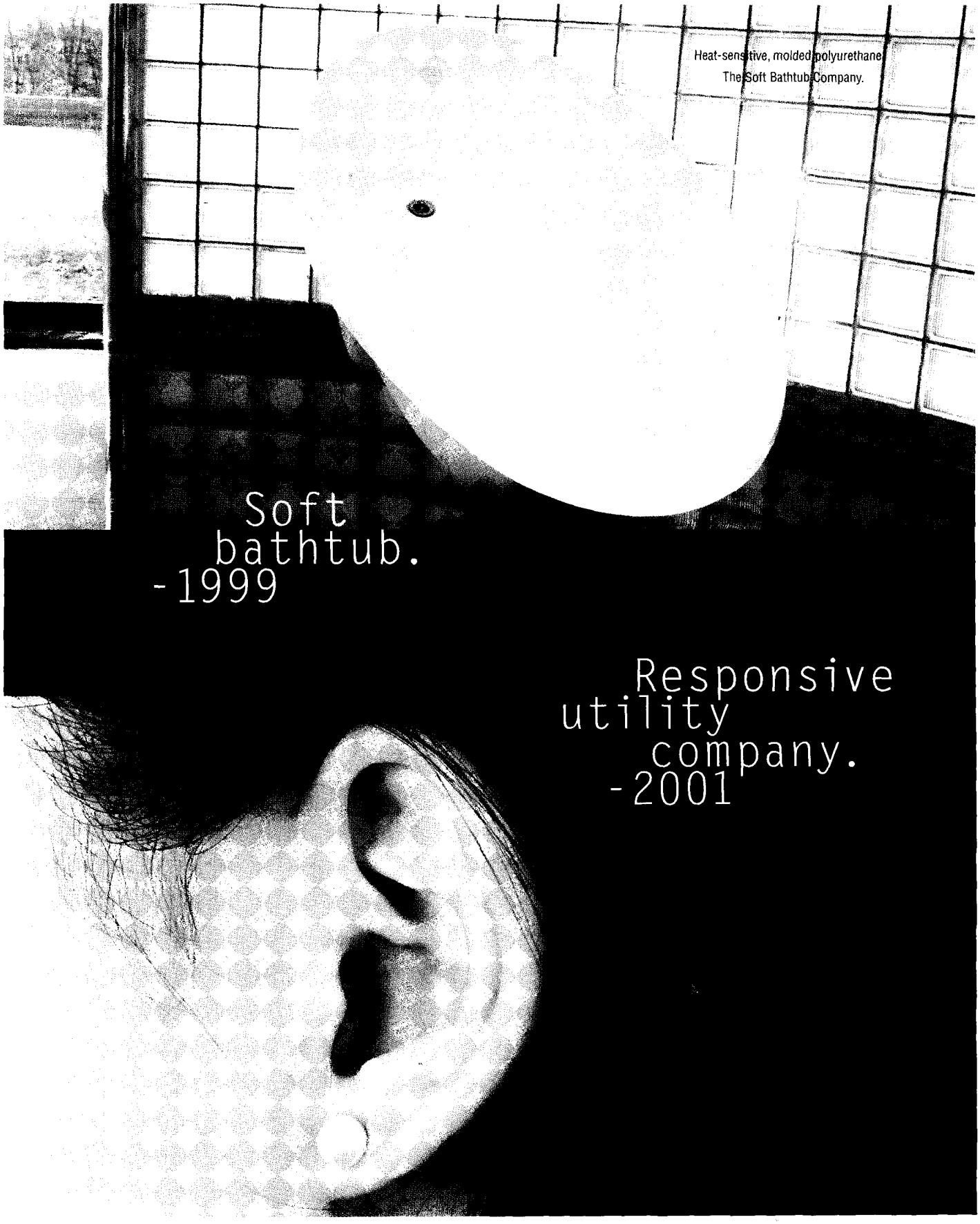

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